

25/4/NGO-Vol. XVIII

File No. 25/4/NGO-Vol. XVIII

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विदेश मंत्रालय

MINISTRY OF EXTERNAL AFFAIRS

(एन० जी० ओ० अनुभाग)

(N. G. O. SECTION)

(अरुण कुमार फर्जे) (ARUN KUMAR FERGEE)  
जुनियन सेक्रेटरी (सी.ए.ओ.)  
Joint Secretary (C.N.V.)  
विदेश मंत्रालय, नई दिल्ली  
Ministry of External Affairs  
New Delhi

फाइल नं०

File No. 25/4/NGO-Vol. XVIII

विषय : (कृपया इस आवरण को उलटें)

(Subject : Please Turn Over)

Opened on 26/08/2014

कहाँ भेजा Sent to	कब भेजा On	कहाँ भेजा Sent to	कब भेजा On	कहाँ भेजा Sent to	कब भेजा On
JS (C.N.V.)	26/8/2014				
JS (C.N.V.)	27/8/2014				
JS (EA)	27/8/2014				
JS (EW)	26/11/15				
AS (South)	27/11/15				
Secy (East)	07/12/2015				
FS	8/12/15				
JS (C.N.V.)	9/12/15				
FS	9/12/15				
FS	15/12/15				
JS (C.N.V.)	15/12/15				

Notes: P1 to P3

Cover: P1 to P3

Total 3875

Keep by 12/01/16





विषय :

SUBJECT :

NETAJI SUBHASH CHANDRA BOSE,  
ALLEGED DISAPPEARANCE

संबद्ध फाइलें :

Connected Files :

नं०

No.

25/4/590

Vol. I to XVII

विषय :

Subject :

किस तारीख को निकाली गई B/F Date	किस क्रम संख्या के लिए निकाली गई For Serial No.	किस क्रम संख्या का निपटारा हुआ Disposal Serial No.	टिप्पणी Remarks



Ministry of External Affairs

NGO Section

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①

Reference observations by JS(EA) and JS(CNV).

2. The subject matter is handled by EA Division. In the past, JS(CNV) did reply on two/ three occasions, including on a writ petition in Delhi High Court. NGO Section is only a repository of Territorial Divisions' files. Therefore, any decision on the matter needs to be taken by the Territorial Division.

*JS*  
26/08/14

SO(NGO)

*[Signature]*  
26/8

JS(CNV)

The above may be indicated for easy reference before the file is submitted to JS(EA).

*@helthyr* 27/8/14.

*JS(NHO)*

These have been marked in the annexes of file. (25/4/2020 - vol. XVII)

*[Signature]*  
27/8

*JS(CNV)*

May like to see the earlier correspondence on this subject. It has been always dealt by the EA Division.

*@helthyr* 27/8/14

JS(EA)

*Pr* 1/10/14.

*JS(NHO)*  
27/8/14

T-142/JS(EA)/14  
28/11

\_\_\_\_\_ - \_\_\_\_\_ - St. No. 1 - Added  
4080/WG0/15 - 25/8/14 - St. No. 2 - Added  
[Please see 1/n]



(3)

② सं. नविय (ई.ए.) का दायित्व  
JS (EA)'s Office 4764  
सं. नविय (ई.ए.) का दायित्व  
14/8/14

2429/JS(CNV)14  
14/8/14

L-5511/254/14  
Ministry of External Affairs  
(Legal and Treaties Division)

सं. नविय (ई.ए.) का दायित्व ...../एन.ओ./200

Dy. No 4087 /NGO/200

\*\*\*\*\*

दिनांक/Date: 23/8/2014

Placed below is the Writ Petition (No. 42 of 2014) filed by Dr. Suresh Padhye before the High Court of Judicature at Bombay, Nagpur Branch praying for constitution of a new commission to enquire into the death of Netaji Subhash Chandra Bose and some other related relief.

2. Besides the Ministry, Principle Secretary of the Government India, Ministry of Home Affairs, Research and Analysis Wing are also made respondents in this case.

3. CNV Division may kindly see the copy of the petition and take necessary action to defend the Ministry in the above case.



(Sudheer. K.J.)

Legal Officer (Gr-II)

13.08.2014

JS(CNV)

This is to be dealt by the EA  
Division.

The matter pertains to MHA

@hetty 14/8/14.

JS(EA)

I have seen the file. In the

past CNV Divn was handling such  
cases. May be so

JS(CNV)

Page 278

NGO may indicate whether such a  
subject matter has been handled by them  
in the past.

@hetty 22/8/14

JS(NHO)

Be put up

Sh. K.



'What Justice Mukherjee told me was of national importance.

It can't be considered mere private chat. I don't think what I did was unethical," he said.

"A person of Justice Mukherjee's stature could not gather the courage to go public about something as important as this. People have the right to know the truth about Netaji," he added.

Ghosh interviewed many people associated with Bose as well as Gumnami Baba and claimed the leader entered UP via Nepal in the guise of a sadhu and started staying in Ram Bhavan, Faizabad, from 1983.

Also interviewed was handwriting expert and former additional director of the National Institute of Criminology and Forensic Science, Dr B. Lal, who said the writings of the sadhu and Netaji "matched perfectly". According to the monk's personal doctors R. K. Misra and P. Bandopadhyay - who were also interviewed for the film - about 40 of his trunks contained documents on India's freedom struggle and photographs of Bose's family members, which could be in possession of no one else apart from Netaji.

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**AKSHAYA M. SUDAME**  
Advocate

24/7 Shri Sudame, K.J. L.O.

Office of JS (L&T)

Dy. No. 1163

Date 24/07/2014

SHIV SHANTA APARTMENT,  
2ND LANE, BEHIND HITVADA PRESS,  
DHANTOLI, NAGPUR-12  
Ph. No. : 2442165 (Off.)  
Mob. No. 9860410817

Dt. 8/7/2014

To

1. Union of India,  
Through Principal Secretary,  
South Block Central Secretariat,  
Raisina Hills, New Delhi-110001.
2. Ministry of External Affairs,  
Central Secretariat Raisina Hills,  
New Delhi – 110001.
3. Ministry of Home Affairs,  
North Block Central Secretariat,  
Raisina Hills, New Delhi-110001.
4. Research and Analysis Wing,  
Through its Secretary, Head  
Quarters, New Delhi.

This is to inform you that Shri Dr. Suresh Saradchandra Padhye filed Public Interest Litigation bearing No. 42/2014 against all respondents before High Court, Nagpur.

That, Hon'ble High Court issued notice on 02/07/2014 directed petitioner to serve by R.P.A.D. Petitioner in Compliance of Order, is sending notice by R.P.A.D.

Yours faithfully

*Akshaya M. Sudame*

( Akshaya M. Sudame, Adv.)



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY :**  
**NAGPUR BENCH : NAGPUR.**

**Public interest Litigation No.42 of 2014.**

**(Dr. Suresh Padhye v Union of India, thr Principal Secretary, South Block**  
**Central Secretariat, Raisina Hills, New Delhi & others)**

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's orders.

Court's or Judges Order.

Shri K.H. Deshpande, Sr. Advocate holding for  
Shri A.M. Sudame, Advocate for the petitioner.

**Coram : B.R. Gavai &**  
**S.B. Shukre. JJ.**

**Dated : 02<sup>nd</sup> July, 2014.**

**Heard.**

Issue notice to the respondents, returnable on 30-07-2014.

In addition to regular mode of service, the petitioner to  
serve all the respondents by Registered Post Acknowledgment  
Due.

Shri S.K. Mishra, the learned A.S.G.I., waives notice for  
respondent No.1.

**JUDGE**

**JUDGE**

Deshmukh



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****NAGPUR BENCH NAGPUR**PUBLIC INTEREST LITIGATION No. 42/2014PETITIONER: Dr. Suresh Padhye**VERSUS**RESPONDENT: Union of India & 4 Ors.**INDEX**

Sr. No.	Particulars	Date	Annex No.	Pg. No.
1	Synopsis	20/6/14		1-V
2	Writ Petition under Article 226 and 227 of the Constitution of India in public interest	20/6/14		1-27
3	List of Annexure	20/6/14		28
4	A copy of report submitted by Justice Mukherjee Commission to Government of India	07/11/05	I	29 to 367
5	A copy of article published in India today	29/01/10	II	368 to 369

Nagpur

Dated: <sup>20</sup>/06/2014

*Akshaya M. Sudame*  
 Akshaya M. Sudame  
 Advocate  
 Counsel for Petitioner

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**NAGPUR BENCH NAGPUR**

PUBLIC INTEREST LITIGATION No. \_\_\_\_\_/2014

PETITIONER: Dr. Suresh Padhye

**VERSUS**

RESPONDENT : Union of India & 4 Ors.

**SYNOPSIS**

Date	Particulars
18/08/45	Allegedly Netaji Subhas Chandra Bose died in a plane crash.
05/04/56	Accordingly the Government of India appointed a three member Inquiry Committee vide its Notification No. F-30(26)FEA/55 dated 05/04/1956 with Shah Nawaz Khan, Parliament Secretary to the Ministry for Transport and Railway as its Chairman
	The Committee after considering the documents placed before it and after examining the witnesses produced before it came to the conclusion that the Netaji died in the plane crash
11/07/70	The Government of India in exercise of powers under the Commissions of Inquiry Act, 1952 constitute an Inquiry Commission vide Notification No. 25/14/70-Poll.11 headed by



	Hon'ble Shri Justice G. D. Khosla, Retired Chief Justice of Punjab High Court.
	The Commission also came to the conclusion that Netaji had succumbed to his injuries sustained in the plane crash at Taihoku
	A writ petition was filed in the Hon'ble High Court of Calcutta, seeking directions to declassify and disclose the documents relating to Netaji. Further the petition sought an injunction to all agencies and publishers from publishing that Netaji died on 18/08/1945 in a plane crash. The Hon'ble High Court of Calcutta while disposing of the petition directed the Union of India to launch a vigorous inquiry into the alleged disappearance/death of Netaji in accordance with law by appointing a commission
24/12/98	A unanimous resolution adopted by the West Bengal Legislative Assembly whereby the Assembly demanded that the Government of India should make necessary arrangements for availability of records and documents in and outside India so that the scholars and people could have access to them
15/05/99	the Central Government by notification No. SO

	<p>339(E) appointed <del>one</del> man commission headed by Hon'ble Shri Justice M. K. Mukherjee, Retired Judge of the Hon'ble Supreme Court of India. The commission was to inquire into all the facts and circumstances related to the disappearance of Netaji and to examine the manner in which the exercise of scrutiny of publication touching upon the question of death or otherwise of Netaji can be undertaken by the Government of India</p>
	<p>That, the Justice Mukherjee Commission, with great difficulty, examined 131 witnesses in and outside India. The Commission visited Japan, England, Taiwan, Russia etc and examined official documents related to Netaji. However, the Government of India had a reluctant approach and attitude in providing the commission with necessary documents and permissions</p>
07/11/05	<p>The Report was submitted by the Commission to the Government of India. The Commission concluded that Netaji was dead. However he did not die in plane crash as alleged. The ashes in Renkoji Temple are not of Netaji. Further on point regarding publication touching upon the</p>



	question of Netaji's death, the Commission recommended that Central Government can proceed on the basis that he is dead but did not die in the plane crash as alleged.
	The respondent government rejected the report submitted by the Justice Mukherjee Commission.
	In this circumstances, there is no conclusive proof as to the death of Netaji and therefore the petitioner has filed this instant petition, as Netaji was a National Hero who led India to independence and as such the controversy and mystery regarding his death needs to be unraveled
	Hence this petition.

### **POINTS TO BE HEARD**

1. Whether the action of the Respondent Union of India in rejecting the Mukherjee Commission Report correct and justified?
2. Is it not that when the conclusion of previous reports has been doubted by the Hon'ble Prime Minister, the Government was duty to bound to finally put to rest the controversy by accepting the report submitted by Justice Mukherjee Commission?

3. Is it not that the Union of India was duty to bound to appoint a new commission of Inquiry, if in its opinion the report submitted by Mukherjee Commission was not satisfactory, especially when the reports submitted by 2 previous commissions had been considered inconclusive?

**ACTS AND RULES**

1. Constitution of India
2. Commission of Inquiries Act

Nagpur

Dated: /06/2014

*Akshaya M. Sudame*

Akshaya M. Sudame  
Advocate  
Counsel for Petitioner

PUBLIC INTEREST LITIGATION PETITION

MAY IT PLEASE MY LORD

The petitioner - also named as respondent - and respectfully submit as under:

Particulars of the cause/issue against which

the petition is made: The petition is made against

the Central Government and the Union of India

for not appointing a new commission of Inquiry

into the matter of the death of the late

Shri. Yashwantrao Chavan, a former Prime Minister



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH NAGPUR

{Public Interest Litigation under rule 4(e) of the Bombay High Court  
Public Interest Litigation Rules 2010}

PUBLIC INTEREST LITIGATION No. \_\_\_\_\_/2014

PETITIONER: Dr. Suresh s/o Sharadchandra  
Padhye Aged about 85 years Occ.  
Retired R/o Amravati

VERSUS

- RESPONDENT : 1. Union of India  
Through Principal Secretary  
South Block Central Secretariat  
Raisina Hills New Delhi 110001
2. Ministry of External Affairs  
Central Secretariat Raisina Hills New  
Delhi 110001
3. Ministry of Home Affairs  
North Block Central Secretariat  
Raisina Hills New Delhi 110001
4. Research and Analysis Wing  
Through its Secretary  
Headquarters New Delhi

PUBLIC INTEREST LITIGATION PETITION

MAY IT PLEASE MY LORD

The petitioner abovenamed most humbly and  
respectfully submit as under:

1. **Particulars of the cause/order against which  
the petition is made:-** The instant petition is being  
filed in public interest questing the decision of the  
Central Government in rejecting the report of the  
Justice Mukherjee Commission of Inquiry dated  
08/11/2005.

In the backdrop of a writ petition filed before the Hon'ble Calcutta High Court, the Hon'ble Court directed the Respondent Union of India to launch a vigorous inquiry into the alleged disappearance/death of Netaji in accordance with law by appointing a Commission of Inquiry for the purpose of giving end to the controversy. This was followed by a unanimous resolution adopted by the West Bengal Legislative Assembly on 24/12/1998 whereby the Assembly demanded that the Government of India should make necessary arrangements for availability of records and documents in and outside India so that the scholars and people could have access to them and also institute a fresh Inquiry Commission in order to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose. In the aforementioned context Government of India appointed one-man Commission consisting of Hon'ble Shri Justice M. K. Mukherjee, a retired Judge of the Supreme Court.

However, the report was rejected by government of India on 17/05/2006.

2. **Particulars of the Petitioners:-** The petitioner was born on 07/10/1935 at Nagpur. The petitioner is Ph. D holder in the subject of Geography. The Petitioner was selected through MPSC and was appointed as a lecturer in Geography in Government College Amravati.



✓ He worked on various committees of the State Government, wrote nationalized Text Books for schools, published more than twenty five research papers in standard journals, helped various departments on research projects and served number of Universities. He eventually became the head of the Department of Geography and retired in 1995 as the Principal of the Government College of Vidarbha Mahavidyalaya in Amravati. In young days, the petitioner had inclination towards politics. He was bid farewell by thousands of students when he left to join the Goa liberation front. He believed in Gen. Eisenhower's advice and shunned political aspirations. The adage says 'First educate, then agitate and then legislate'. In due course, the petitioner became a Government Gazetted Officer and hence the question of being politically active did not arise.

From 1965 to 1977 the petitioner has spent time at Shoulmari Ashram which was set up by Sharadnandji (herein after Sadhu), who the petitioner has reasons to believe was infact Netaji Subhas Chandra Bose in disguise.

3. **Declaration and understanding of the**

**Petitioners:-** That, the present petition is being filed by way of public interest litigation and the petitioners do not have any personal interest in the matter. The

instant matter is being filed in the interest of general public

That, the entire litigation costs, including the advocate's fee and other charges are being borne by the petitioners. Permanent Account Numbers of the petitioners is also provided herein.

That a thorough research has been conducted in the matter raised through the petition. All relevant material in respect of such research has been annexed to the petition.

That, to the best of the petitioners' knowledge and research, the issue instant raised has not been dealt with or decided by this Hon'ble Court. The petitioners have not filed any petition in respect of the current issue before this Hon'ble Court or the Hon'ble Supreme Court.

That, the petitioners have understood that in the course of hearing of this petition this Hon'ble Court may require any security to be furnished towards costs or any other charges and the petitioners undertake to comply with such requirement

4. **Facts:-**

a. That, Netaji was born on 23 January 1897 in Cuttack, Orissa Division, Bengal Province. He was the ninth child of a total of fourteen siblings. He was admitted to the Protestant European School like his



✓ other brothers and sisters in January 1902. He continued his studies at this school which was run by the Baptist Mission up to the year 1909 and then shifted to the Ravenshaw Collegiate School. After securing the second position in the matriculation examination in 1913, he got admitted to the Presidency College where he studied briefly. His nationalistic temperament came to light when he was expelled for assaulting Professor Oaten for the latter's anti-India comments. He later joined the Scottish Church College at the University of Calcutta and passed his B.A. in 1918 in philosophy. Netaji left India in 1919 for England with a promise to his father that he would appear in the Indian Civil Services (ICS) Examination. He went to study in Fitzwilliam College, Cambridge, and matriculated on 19 November 1919. He came fourth in the ICS examination and was selected but he did not want to work under an alien government which would mean serving the British. As he stood on the verge of taking the plunge by resigning from the Indian Civil Service in 1921, he wrote to his elder brother Sarat: "Only on the soil of sacrifice and suffering can we raise our national edifice". Finally, he resigned from his civil service job on 23 April 1921 and returned to India.

b. Netaji stood for unqualified Swaraj (self-governance), including the use of force against the

✓ British. This meant a confrontation with Mohandas Gandhi, who in fact opposed Netaji's presidency, splitting the Indian National Congress party. Netaji attempted to maintain unity, but Gandhi advised Netaji to form his own cabinet. The rift also divided Netaji and Nehru. Netaji appeared at the 1939 Congress meeting on a stretcher. He was elected president again over Gandhi's preferred candidate Pattabhi Sitaramayya.

c. In the early 1930's Japan and Southeast Asia were major refuges spots for Indian nationalists living in exile before the start of World War II. Japan had sent intelligence missions, notably under Major Iwaichi Fujiwara, into South Asia even before the start of the war to garner support from the Malayan Sultans, overseas Chinese, the Burmese resistance and the Indian movement. These missions were successful establishing contacts with Indian nationalists in exile in Thailand and Malaya, supporting the establishment and organization of the Indian Independence League (IIL)

d. In a series of meetings between the INA leaders and the Japanese in 1943, it was decided to cede the leadership of the IIL and the INA to Netaji, since a number of the officers and troops who had returned to PoW camps, or had not volunteered in the first place,



✓ made it known that they would be willing to join the INA only on the condition that it was led by Netaji. Netaji had, at the start of the war in Europe, escaped from house arrest to make his way to Germany, reaching Berlin on 2 April 1941. In Germany he convinced Adolf Hitler, in a series of conferences, to support the cause of Indian Independence, forming the Free India Legion and the Azad Hind Radio. By early 1943, Netaji had turned his attention to Southeast Asia. With its large overseas Indian population, it was recognized that the region was fertile ground for establishing an anti-colonial force to fight the Raj. In January 1943, the Japanese invited Netaji to lead the Indian nationalist movement in East Asia. He accepted and left Germany on 8 February. After a three-month journey by submarine, and a short stop in Singapore, he reached Tokyo on 11 May 1943, where he made a number of radio broadcasts to the Indian communities, exhorting them to join in the fight for India's Independence.

e. During the last week of April 1945, Netaji, his senior INA officers, several hundred enlisted INA men, and one hundred women from the INA's Rani of Jhansi Regiment left Rangoon by road for Moulmein. Accompanied by Lieut. General Saburo Isoda, the head of the Japanese-INA liaison organization Hikari Kikan, their Japanese military convoy was able to reach the

✓right bank of the Sittang river, albeit slowly. But, very few vehicles were able to cross the river because of American strafing runs. Netaji and his party walked the remaining 80 miles to Moulmein over the next week.<sup>[9]</sup> Moulmein then was the terminus of the Death Railway, constructed earlier by British, Australian, and Dutch prisoners of war, linking Burma to Siam (now Thailand). At Moulmein, Netaji's group was also joined by 500 men from the X-regiment, INA's first guerrilla regiment, who arrived from a different location in Lower Burma. A year and a half earlier, 16,000 INA men and one hundred women had entered Burma from Malaya. Now, less than one tenth that number left Burma, arriving in Bangkok during the first week of May. The remaining nine tenth were killed in action, died from malnutrition or injuries after the battles of Imphal and Kohima, captured by the British, turned themselves in, or simply disappeared. Netaji stayed in Bangkok for a month, where soon after his arrival he heard the news of Germany's surrender on May 8. Afterwards, for the next two months—June and July 1945 Netaji was in Singapore, and in both places attempted to raise funds for billeting his soldiers or for rehabilitating them if they chose to return to civilian life, which most of the women did. In his nightly radio broadcasts, Netaji spoke with increasing virulence 2



9  
against Gandhi, who had been released from jail in 1944, and was engaged in talks with both British administrators and envoys and Muslim League leaders. Some senior INA officers now began to feel frustrated or disillusioned with Netaji and to prepare quietly for the arrival of the British and for its consequences.

f. During the first two weeks of August 1945, events began to unfold very rapidly. With the British advancing down the Malay Peninsula and with daily American aerial bombings, Netaji's physical presence in Malaya and Singapore was becoming riskier by the day, and his chief of staff J. R. Bhonsle suggested that he prepare to leave Singapore.<sup>[14]</sup> On 3 August 1945, Netaji received a cable from Gen. Isoda advising him to evacuate quickly to Saigon (now Ho Chi Minh City) in French Indochina (now in Vietnam), which was still under Japanese administration. On 9 August the Soviet invasion of Manchuria began and the Japanese Kwantung Army beat a quick retreat southward in their puppet state of Manchukuo, about which Netaji was told on 10 August, and not much earlier he has heard about the atomic blasts in Hiroshima and Nagasaki. Finally, on 16 August, after being informed of the unconditional surrender of Japanese armed forces to the Allied armies, Netaji

✓ decided to leave for Saigon along with a handful of his aides.

g. In the consensus of scholarly opinion, Subhas Chandra Netaji's death occurred from third-degree burns on 18 August 1945 after his overloaded Japanese plane crashed in Japanese-occupied Formosa (now Taiwan). However, many among his supporters, especially in Bengal, refused at the time, and have refused since, to believe either the fact or the circumstances of his death. Conspiracy theories appeared within hours of his death and have thereafter had a long shelf life, keeping alive various martial myths about Netaji.

h. In Taihoku, at around 2:30 PM as the bomber with Netaji on board was leaving the standard path taken by aircraft during take-off, the passengers inside heard a loud sound, similar to an engine backfiring. The mechanics on the tarmac saw something fall out of the plane. It was portside engine, or a part of it, and the propeller. The plane swung wildly to the right and plummeted, crashing, breaking into two, and exploding into flames. Inside, the chief pilot, copilot and Lieutenant-General Tsunamasa Shidei, the Vice Chief of Staff of the Japanese Kwantung Army, who was to have made the negotiations for Netaji with the Soviet army in Manchuria, were instantly killed. Netaji's



assistant Habibur Rahman was stunned, passing out briefly, and Netaji, although conscious and not fatally hurt, was soaked in gasoline. When Rahman came to, he and Netaji attempted to leave by the rear door, but found it blocked by the luggage. They then decided to run through the flames and exit from the front. The ground staff, now approaching the plane, saw two people staggering towards them, one of whom had become a human torch. The human torch turned out to be Netaji, whose gasoline-soaked clothes had instantly ignited. Rahman and a few others managed to smother the flames, but also noticed that Netaji's face and head appeared badly burned. According to Joyce Chapman Lebra, "A truck which served as ambulance rushed Netaji and the other passengers to the Nanmon Military Hospital south of Taihoku." The airport personnel called Dr. Taneyoshi Yoshimi, the surgeon-in-charge at the hospital at around 3 PM. Netaji was conscious and mostly coherent when they reached the hospital, and for some time thereafter. Netaji was naked, except for a blanket wrapped around him, and Dr. Yoshimi immediately saw evidence of third-degree burns on many parts of the body, especially on his chest, doubting very much that he would live. Soon, in spite of the treatment, Netaji went into a coma. A few hours

5-12

later, between 9 and 10 PM (local time) on Saturday 18 August 1945, Netaji, aged 48, was dead.

i. Netaji's body was cremated in the main Taihoku crematorium two days later, 20 August 1945. On 23 August 1945, the Japanese news agency Do Trzei announced the death of Netaji. On 7 September a Japanese officer, Lieutenant Tatsuo Hayashida, carried Netaji's ashes to Tokyo, and the following morning they were handed to the president of the Tokyo Indian Independence League, Rama Murti. On 14 September a memorial service was held for Netaji in Tokyo and a few days later the ashes were turned over to the priest of the Renkōji Temple of Nichiren Buddhism in Tokyo.

j. The controversy over the death of Netaji Subhas Chandra Bose surfaced after the announcement from Tokyo on 23/08/1945 that Netaji had died in a plane crash on 18/08/1945. However, some press reports published from Tokyo and Taipei had given contradictory versions. After the independence of India, there was a popular demand for an inquiry into the alleged disappearance/death of Netaji. The issue was also raised in the Parliament from time to time. Responding thereto, the then Prime Minister on 03/12/1955 announced in the Parliament that an official committee would be appointed to go into the matter. Accordingly the Government of India appointed



13  
a three member Inquiry Committee vide its Notification No. F-30(26)FEA/55 dated 05/04/1956 with Shah Nawaz Khan, Parliament Secretary to the Ministry for Transport and Railway as its Chairman and Shri Suresh Chandra Bose, elder Brother of Netaji and Shri S. N. Maitra, ICS Chief Commissioner, Andaman & Nicobar Islands as its members. The Committee after considering the documents placed before it and after examining the witnesses produced before it came to the conclusion that the Netaji died in the plane crash. However, Shri Suresh Chandra Bose, the other member submitted a dissenting report stating that there had been no plane crash involving Netaji. The majority report was accepted by the Government of India.

k. That, the majority view though was accepted by the Government, the same did not satisfy the public in general and several members of the Parliament in particular who raised a demand for a fresh inquiry into the matter. Under the circumstances the Government of India in exercise of powers under the Commissions of Inquiry Act, 1952 constitute an Inquiry Commission vide Notification No. 25/14/70-Poll.11 dated 11/07/1970 headed by Hon'ble Shri Justice G. D. Khosla, Retired Chief Justice of Punjab High Court. The Commission also came to the conclusion that Netaji had

succumbed to his injuries sustained in the plane crash at Taihoku and that his ashes had been taken to Tokyo.

1. That, a writ petition was filed in the Hon'ble High Court of Calcutta, seeking directions to declassify and disclose the documents relating to Netaji. Further the petition sought an injunction to all agencies and publishers from publishing that Netaji died on 18/08/1945 in a plane crash. The Hon'ble High Court of Calcutta while disposing of the petition directed the Union of India to launch a vigorous inquiry into the alleged disappearance/death of Netaji in accordance with law by appointing a commission. This was followed by an unanimous resolution adopted by the West Bengal Legislative Assembly on 24/12/1998 whereby the Assembly demanded that the Government of India should make necessary arrangements for availability of records and documents in and outside India so that the scholars and people could have access to them. As such the Central Government by notification No. SO 339(E) dated 14/05/1999 appointed one man commission headed by Hon'ble Shri Justice M. K. Mukherjee, Retired Judge of the Hon'ble Supreme Court of India. The commission was to inquire into all the facts and circumstances related to the disappearance of Netaji and to examine the manner in which the exercise of scrutiny of publication touching upon the question of



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death or otherwise of Netaji can be undertaken by the Government of India. The Commission was required to submit its report within a period 6 months from the date of publication of the notification. There were in all 5 questions, which were to be inquired by the Commission. Viz.

- i. Whether Netaji Subhas Chandra Bose is dead or alive;
  - ii. If he is dead, whether he died in the plane crash, as alleged;
  - iii. Whether the ashes in the Japanese temple are ashes of Netaji;
  - iv. Whether he has died in any other manner at any other place and if so when and how;
  - v. If he is alive in respect of his whereabouts.
- m. That, the Justice Mukherjee Commission (hereinafter 'the Commission' for sake of brevity), with great difficulty examined 131 witnesses in and outside India. The Commission visited Japan, England, Taiwan, Russia etc and examined official documents related to Netaji. However, the Government of India had a reluctant approach and attitude in providing the commission with necessary documents and permissions. That, it was brought to the notice of the Commission that on 03/08/1977 Prof. Samar Guha moved a motion in the Parliament - "that this House do

consider the Report (1974) of the commission of Inquiry into disappearance of Netaji laid on the table of the house on 03/09/1974" and in reply thereto Shri Morarji Desai the then Prime Minister of India made the following statement on 28/08/1978

"there have been two enquires into the report of the death of Netaji Subhas Chandra Bose in the air crash on 18/08/1945 at Taihoku airfield during his air-journey to Manchuria, one by a committee presided over by Maj. General Shah Nawaz Khan and the second by a one-man Committee of enquiry headed by Shri G. D. Khosla retired judge Punjab High Court. The majority report of the first committee and Shri Khosla Committee held the report of the death as true. Since then reasonable doubts have been cast on the correctness of the conclusions reached in the two reports and various important contradictions in the testimony of witnesses have been noticed, some further contemporary official documentary records have also become available. In light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive."

n. The Commission asked the PMO, the MEA, the Cabinet Secretariat and Ministry of Home Affairs to



ensure production of all those "further contemporary official documentary evidence" which as stated by the Prime Minister had become available to the Government of India. However, the PMO wrote back to the Commission that no such official documents could be located in their office. A similar response was received from the Ministry of Home Affairs, Cabinet Secretariat. Records of entire proceedings of Khosla Commission and documents therein called by commission were never furnished by the Government of India. The Commission thereafter went to England to study relevant files and record. All the relevant documents except for two files were given to the Commission. Those two files could not be given as the same were marked closed. The Commission thereafter approached the Foreign and Commonwealth office of British Government. However, the Foreign and Commonwealth office did not handed over, however, it was communicated that the files belonging to intelligence and Security Agencies were withheld from release with the approval of Lord Chancellor in accordance with section 3(4) of the Public Records Act. Commission met Lord Peter Archer who suggested that the issue might achieve greater success if the two concerned Governments corresponded. The Ministry of External Affairs, Government of India assured necessary action.

7. However, the Foreign and Commonwealth of British Government reiterated their stand. Commission requested MEA to make available all declassified documents relating to Netaji/INA from Government of USA and CIA. However, no action was taken by the MEA in pursuance of the request made by the Commission.

o. The Commission went to Tokyo to examine Taneyoshi Yoshimi only surviving witness to Netaji's alleged death. Urn containing ashes of Netaji could not be accessed as the date of visit was a holiday. That on 24/10/2002 First Secretary and Second Secretary to Indian Ambassador to Japan visited the temple took photographs of the contents of the urn and submitted a report. Indian Embassy in Japan assured to solicit services of expert and furnish opinion. However, nothing further was done by the Indian Embassy. The Commission asked the Centre for Cellular and Molecular Biology whether DNA test could be conducted on the bones. CCMB replied that it would not be possible to isolate DNA from bones collected from burnt ashes. But if the remains of bones were not burnt then presence of DNA was likely to be there. However, the test could not be carried out in India as the special laboratory facility was not available. The Commission then contacted Sir Alec Jeffery and Terry Melton with a similar query. Both expressed their inability to positively



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determine whether DNA test could be conducted on burned bones. However, Terry Melton agreed to hold standard forensic mitochondrial DNA test. Ancient DNA facility having become fully functional at CCMB Hyderabad, the commission again sought opinion about possibility of extracting DNA from burnt bones. It was suggested to the Commission that a Molecular Biologist may be required to physically separate less charred bones from the urn. The question of physical inspection gave rise to several correspondences between the MEA and the authorities of Renkoji Temple. Unfortunately even after several letters no response was received by the Commission. As such insofar as DNA testing is concerned, commission received a bleak prospect from the different experts. Due to temple authorities reticence the commission could not proceed further.

p. The Commission also visited Russian Federation to examine some witnesses and inspect records in various archives of Russian Federation. Besides documents, the commission received 18 reader printer copies of micro film rolls from the Public Record Office, London and one from the University of Southampton, England. Another 4 bundles of documents in Russian language were received from the Asiatic Society, Kolkata. Apart from the above documents, the commission received 105 books- 47 in English, 1 in

Russian and 57 including 14 journals in vernacular from different deponents and other sources. After hearing the deponents, their counsels and agents the Commission came across 5 different versions of Netaji's death.

q. The First Version was that Netaji died in Red Fort on 15/08/1945. After hearing the deponents the Commission came to the conclusion that the story was given out of presumptions and assumptions and in absence of any other evidence the story cannot be substantiated. The version was therefore rejected as being a figment of imagination.

r. The Second version was that Netaji died in plane crash on 18/08/1945. The Commission on a conspectus of all facts and circumstances relevant to the issue came to the conclusion that Netaji was successful in evading the Allied Force and as a camouflage the entire make-belief story of the air crash was engineered. The Commission also concluded that the ashes in Renkoji Temple in Japan were not of Netaji but were of Ichiro Okura.

s. The Third Version before the Commission was that the Netaji died in an Ashram named and styled as Shoulmari Ashram, where he was residing in disguise as Sharadanandji. The Commission concluded that as there was no reliable evidence to prove that the Sadhu



was Netaji and therefore the question of his death in Dehradun does not arise.

t. The Fourth version was that Netaji died in Sheopurkalan in Madhya Pradesh. As per the version, the plane crashed in a village called Pandola and three persons survived, Netaji, Col. Rehman and Hitler. As the story itself was patently absurd. This version was rejected.

u. The Fifth and last version was that Netaji died in Faizabad where he lived as Gumnamī Baba. The Commission concluded that in absence of any clinching evidence to prove that Gumnamī Baba was infact Netaji the question whether he died in Faizabad need not be answered.

v. That, after the conclusion of the inquiry the Commission concluded that Netaji was dead. However he did not die in plane crash as alleged. The ashes in Renkoji Temple are not of Netaji. Further on point regarding publication touching upon the question of Netaji's death, the Commission recommended that Central Government can proceed on the basis that he is dead but did not die in the plane crash as alleged. The Report of the Commission was submitted on 08/11/2005 and the same was tabled in the Parliament on 17/05/2006. The Government of India, however rejected the report stating that it did not agree with the

findings of the Commission. A copy of report alongwith its annexure is filed herewith as ANNEUXRE I.

w. On 29/01/2010 an article was published in India Today under the title "UP Monk was Bose in hiding". the article reported the conclusion arrived at by the Mukherjee commission and further went on record to report a statement made by Justice Mukherjee that in his personal opinion, the Baba residing in Uttar Pradesh was infact Bose. However, the statement made by Justice Mukherjee had no legal backing and was not part of the report submitted by Justice Mukherjee. A copy of article published in India today on 29/01/2010 is filed herewith as ANNEXURE II.

x. It is submitted that The press of India flashed news that founder of Shoulmari Ashram Shrimat Sharadanandji was Subhas Chandra Bose. Therefore the petitioner managed to get audience with Sharadanandji at Shoulmari Ashram at Falakata in North Bengal. He went there after deeply studying the life of Subhas Chandra Bose from various books. The petitioner is agnostic and never believed in any Baba or Maharaj though his great grand father Dadasaheb Khaparde was close associate of Sai Baba of Shirdi and Gajanan Maharaj of Shegaon.

y. In the very first audience he was convinced that Sharadanandji was Subhas Chandra Bose because..



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Both Sharadanandji and Netaji had the same age and similar height. The physical mark of squint in eye and vertical scar on the left eye brow were same to both. Short temper was similar. Use of 'Dhup' (fragrant smoke) was same. Deep knowledge of Vedas, Upanishadas, Sahitas and Sankrit was identical to both. So also deep study of Eastern and Western Philosophers, History of the World and Revolutions, dream analysis and psychology, world politics and personal knowledge of Nehru and war strategies. love for teaching and plan to institute Universities was identical.

z. The petitioner has maintained daily diaries from 1956 till today and every event, discussion, dictation, journeys in the dairies. The Volume one deals with everything date wise in the first volume. The second Volume consists of photographs taken by the petitioner of followers, residences, Sharadanandji's living photograph, the photo of handwriting of Sharadanandji in letter to the petitioner and comparison with original handwriting of Subhas Bose. The photographs of close associates of Netaji as well as Sharadanandji such as Uttamchand Malhotra who sheltered Netaji in Kabul and was jailed and his property confiscated by the British Government, or, that of Colonel Pritam Singh was one of the five to see off Netaji at Saigaon

aa. It is submitted that the petitioner has spent 12 years of his life living in the Shoulmari Ashram with Sharadanandji and he therefore has strong reasons to believe that Sharadanandji was infact Netaji in disguise. The Petitioner spent 5 years collecting data, photos etc and has now created a website: [netajibosemysteryrevealed.org](http://netajibosemysteryrevealed.org), which gives detailed account of the time spent by the petitioner in Shoulmari Ashram. Infact the petitioner deposed before the Mukherjee Commission as CW 102. However, the petitioner was wrongly quoted as admitting that Sharadanandji was not Netaji.

5. **Source of Information:-**

- a. Mukherjee Commission Report
- b. <http://netajibosemysteryrevealed.org/>
- c. <http://indiatoday.intoday.in/story/'UP+monk+was+Bose+in+hiding'/1/81464.html>
- d. <http://www.subhaschandrabose.org/disappearance.php>

6. **Nature and Extent of injury caused:-** Netaji Subhas Chandra Bose is a National Hero, who fought and led India to Independence. It is quite tragic that people of India are still in doubt as to whether Netaji died in plane crash or otherwise. The people of India have a right to know as to how their beloved leader died. The then Prime Minister India Shri Morarji Desai had on



the floor of Parliament, made a statement on basis of certain new documents and the conclusions arrived at by Shah Nawaz Committee and Khosla Commission cannot be decisive. The 3<sup>rd</sup> Commission i.e. Mukherjee Commission has concluded that Netaji did not die in the plane crash, as such in this scenario it is in the interest of people of India, to have a definite knowledge as to the death of Netaji.

7. **Representation, if any:-** The petitioner submits that before filing of the petition, the petitioner had not made any representations to the respondents
8. **Delay, if any:-** The petitioner submits that there is no deliberate and intentional delay caused by the petitioner in approaching this Hon'ble Court.
9. **Documents relied upon:-** As per the list of annexure to the present petition
10. **Relief(s) prayed for:-** It is therefore most humbly prayed that this Hon'ble Court may be pleased to:-
  - a. Call for record pertaining to report submitted by Justice Mukherjee Commission on 08/11/2005 and peruse the same;
  - b. Direct the Respondents to furnish information alongwith reasons as to why the report submitted by the Mukherjee Commission has not been accepted.

c. Direct the Respondents to appoint a new commission to ascertain the nature of death of Netaji as the Mukherjee commission was unable to arrive at a conclusion.

d. Direct the respondents to restrain all publishers from publishing the date of death of Netaji as 18/08/1945. Further direct the respondents to restrain all publishers from publishing cause of death of Netaji.

e. Grant any other relief which this Hon'ble Court deems fit in the facts and circumstances of the case and in the interest of justice.

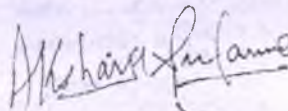
11. **Interim prayed if any:-** The petitioner does not pray for any interim relief at this stage. However, craves leave of this Hon'ble Court to file interim application as and when necessary in the interest justice.

12. **Caveat:-** The petitioner submits that to his knowledge no caveat under section 148-A of the Civil Procedure Code has been filed in the present matter by the respondents

Nagpur

Dated: 20/04/2014

PETITIONER

  
Akshaya M. Sudame  
Advocate  
Counsel for Petitioner



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(36)

SOLEMN AFFIRMATION

I Dr. Suresh s/o Sharadchandra Padhye Aged about 85 years Occ. Retired R/o Amravati presently at Nagpur Petitioner herein do hereby take oath and state on solemn affirmation that the contents of above paragraphs 1- 12 are true and correct to the best of my personal knowledge and belief and other contents are true in so far as information received from the records is believed to be true and read over to me in vernacular.

The legal submissions are explained to me by my counsel and I admit them to be true on legal advice. The documents annexed to the petition are True copies of their respective originals.

Hence verified and signed on 20/06/2014 at Nagpur.

NAGPUR

DATED: 20/06/2014

I KNOW AND IDENTIFY THE DEPONENT

*Akshaya M. Sudame*  
Akshaya M. Sudame  
Advocate  
Counsel for Petitioner

*Dr. Suresh*  
DEPONENT 20-6  
(Dr. S. S. Padhye)

(22)

Solemnly affirmed before me by *Dr. Suresh*  
*Sharadchandra Padhye* identified by  
Adv. *A. M. Sudame* whom I  
personally know  
This *20th* *June* *2014*

*20/6/14*  
High Court of Bombay  
Nagpur Bench, Nagpur

ANNEX-I

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH NAGPUR

PUBLIC INTEREST LITIGATION No. \_\_\_\_\_/2014

PETITIONER: Dr. Suresh Padhye

VERSUS

RESPONDENT : Union of India & 4 Ors.

LIST OF ANNEXURE

Sr. No.	Particulars	Date	Annex No.	Pg. No.
1	A copy of report submitted by Justice Mukherjee Commission to Government of India	07/11/05	I	29 to 367
2	A copy of article published in India today	29/01/10	II	368 to 369

Nagpur

Dated: /06/2014

*Akshaya M. Sudame*

Akshaya M. Sudame  
Advocate  
Counsel for Petitioner

8<sup>th</sup> November 2005



ANNEX-I

(29)

(38)

**JUSTICE MUKHERJEE  
COMMISSION OF INQUIRY**

**( ALLEGED DISAPPEARANCE OF NETAJI  
SUBHAS CHANDRA BOSE)**

**REPORT**

( VOLUME - I )

**8<sup>th</sup> November 2005**

# Report

of

**The Justice Mukherjee Commission of Inquiry**

on

**the alleged disappearance**

of

**Netaji Subhas Chandra Bose**

**Volume - I**



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## Chapter One

### Preamble

1.1 The controversy over the death of Netaji Subhas Chandra Bose ('Netaji' for short), who needs no introduction, surfaced after the announcement from Tokyo on August 23, 1945 that Netaji had died in a plane crash on August 18, 1945. However, some press reports published from Tokyo and Taihoku (Taipei) had given contradictory versions. After independence of India, there was a popular demand for an inquiry into the alleged disappearance/death of Netaji. The issue was also raised in the Parliament from time to time. Responding thereto, the then Prime Minister on December 3, 1955, announced in the Parliament that an official committee would be appointed to go into the matter. Accordingly, the Government of India appointed a three-member Inquiry Committee, vide its Notification No.F-30(26)FEA/55 dated April 5, 1956, with Shri Shah Nawaz Khan, Parliamentary Secretary to the Ministry for Transport and Railways, as its Chairman and Shri Suresh Chandra Bose, elder brother of Netaji and Shri S. N. Majtra, ICS, Chief Commissioner, Andaman & Nicobar Islands, as its members. The task of the Committee, as it appears from the Notification, was to inquire into and report to the Government of India on the circumstances concerning the departure of Netaji Subhas Chandra Bose from Bangkok on or about August 16, 1945 and his alleged death as a result of an aircraft accident and subsequent developments connected therewith. After considering the evidence collected by the Committee, two of



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them (Shri Shah Nawaz Khan and Shri S.N.Maitra) came to the conclusion that Netaji had died in the aforesaid plane crash. Shri Suresh Chandra Bose, the other member, submitted a dissentient report stating that there had been no plane crash involving Netaji's death. The majority report was accepted by the Government of India.

1.2 The majority view of that Committee, however, did not satisfy the public in general and several members of the Parliament in particular, who raised a demand for a fresh inquiry into the matter. Under the circumstances, the Government of India, in exercise of its powers under the Commissions of Inquiry Act, 1952, (the Act for short), constituted an Inquiry Commission vide its Notification No.25/14/70-Poll.11 dated July 11, 1970, headed by Shri G.D. Khosla, Retired Chief Justice of Punjab High Court. The Commission was asked to inquire into all the facts and circumstances relating to the disappearance of Netaji Subhas Chandra Bose in 1945 and the subsequent developments connected therewith. The said Commission examined some of the witnesses who had testified before the Shah Nawaz Committee and some other witnesses including Shri Shah Nawaz Khan and Shri Suresh Chandra Bose. That Commission also came to the conclusion that Netaji had succumbed to his injuries sustained in the plane crash at Taihoku and that his ashes had been taken to Tokyo. The findings of the Khosla Commission also did not end the controversy surrounding Netaji's death; several important people and personalities including some members of Netaji's family, Shri Samar Guha, ex-MP, and others did not accept the findings of the Khosla Commission. Since then there had been a widespread feeling among the public that the issue of finding the truth about Netaji's disappearance / death still remained unresolved and there was a consistent demand for another inquiry into the matter.



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1.3 In the above backdrop a Writ petition was filed before the High Court at Calcutta by way of a public interest litigation seeking the following directions upon the Union of India:-

1. To declassify and disclose all documents relating to Netaji Subhas Chandra Bose including the Indian National Army,
2. To make a categorical statement whether name of Netaji was and still is in the list of war criminals drawn up after the Second World War and issue a press communiqué to the said effect,
3. Not to allow any agency or publisher or any person to publish the story of the death of Netaji Subhas Chandra Bose in the alleged plane crash on 18/8/1945,
4. To disclose the stand of the Government of India regarding Netaji Subhas Chandra Bose if he is found on Indian soil - "whether Government of India will welcome him or hand over him to the allied forces for trial as war criminal and make a press communiqué to that effect" and
5. To produce and/ or transmit all the records, files and documents as mentioned in Annexure "F" to the petition about disappearance of Netaji Subhas Chandra Bose since August 18, 1945 and subsequent thereto.

1.3.1 The petition was disposed of by a Division Bench of the High Court by its judgment and order dated April 30, 1998 directing the Union of India to launch a vigorous inquiry into the alleged disappearance/death of Netaji in accordance with law by appointing a Commission of Inquiry for the purpose of giving an end to the controversy.

1.4 This was followed by a unanimous resolution adopted by the West Bengal Legislative Assembly on December 24, 1998 whereby the Assembly demanded that the Government of India should make necessary arrangements for availability of records and documents in and outside India so that the scholars and people could have access to them



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and also institute a fresh Inquiry Commission in order to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose.

1.5 In the context of the above facts and circumstances, Government of India appointed this one-man Commission by its Notification No. SO 339(E) dated 14,1999. The said Notification reads as under:-

# 320C

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 14.5.99

S.O.339(E) - Whereas the Shah Nawaz Khan Committee and the K

# 145T  
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# Commission of Inquiry appointed by the Government of India in April, 1956 and  
# 1970 respectively to inquire into and to report to the Government of India on  
circumstances concerning the departure of Netaji Subhas Chandra Bose from Bombay  
about the 16<sup>th</sup> August, 1945, his reported death as a result of an aircraft accident;  
subsequent developments connected therewith had come to the conclusion that  
Subhas Chandra Bose met his death in an air crash;

And, whereas there is a widespread feeling among the public that the finding the truth about Netaji's death still remains;

And, whereas there has been a consistent demand for a further inquiry in the matter;



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And, whereas the Calcutta High Court also directed the Government of India for a vigorous inquiry in accordance with Law, if necessary, by appointing a Commission of Inquiry for the purpose of giving an end to this controversy;

And, whereas a Motion was adopted on 24.12.1998 by the West Bengal Legislative Assembly wherein a demand has been made for a fresh inquiry into the matter to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose;

And, whereas the Central Government is of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an in-depth inquiry into a definite matter of public importance, namely, the disappearance of Netaji Subhas Chandra Bose in 1945;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby appoints a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India.

2. The Commission shall inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including :-

- Terms of Ref*
- (a) whether Netaji Subhas Chandra Bose is dead or alive;
  - (b) if he is dead, whether he died in the plane crash, as alleged;
  - (c) whether the ashes in the Japanese temple are ashes of Netaji;
  - (d) whether he has died in any other manner at any other place and, if so, when and how;
  - (e) if he is alive, in respect of his whereabouts.



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3. The Commission shall also examine the manner in which the exercise of Scrutiny of Publications touching upon the question of death or otherwise of Netaji can be undertaken by the Central Government in the circumstances.

4. The Commission shall submit its report to the Central Government as soon as possible but not later than six months from the date of publication of this notification.

5. The headquarters of the Commission shall be at New Delhi, and/or any other place as determined by the Commission.

6. The Central Government is of the opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952) should be made applicable to the said Commission and the Central Government in exercise of the powers conferred by sub-section (1) of the said section 5, hereby directs that all the provisions of the said sub-sections (2) to (5) of that section shall apply to the Commission.

Sd/-

(NIKHIL KUMAR)  
SPECIAL SECRETARY (ISP)



## Chapter Two

### The Inquiry

#### (a) Preliminaries

2.1 Consequent upon its appointment the immediate task of the Commission was to decide upon the location of its operational headquarters, as in the Notification it was stated 'the headquarters of the Commission shall be at New Delhi, and/or any other place as determined by the Commission' (emphasis supplied) and to set up its infrastructure including appointment of its personnel. In arriving at its decision in this regard the Commission felt that since the appointment of the Commission stemmed from the order / direction made by the High Court at Calcutta on a public interest litigation and a unanimous resolution passed by the West Bengal Legislative Assembly and most of the persons to be examined before it were likely to be from this part of the country (as it appeared from the list of witnesses earlier examined by the Shah Nawaz Committee and the Khosla Commission) it would be apposite to have its headquarters in Kolkata. After that decision was taken and the Secretary of the Commission was appointed with effect from August 19, 1999, the Commission approached the Public Works Department of the Central Government and its counterpart of the Government of West Bengal for a suitable accommodation but in vain. Resultantly, the Commission was left with no other alternative but to fend for



itself. Ultimately, the Hon'ble Minister of Food and Supplies Department, Government of West Bengal was approached with a request for a suitable accommodation and he promptly responded by providing the present accommodation, the formal occupation of which could be obtained only on November 16, 1999. Immediately thereafter, on December 3, 1999 to be precise, the Commission issued a Notification in accordance with the provision of Rule 5 of the Commissions of Inquiry (Central) Rules, 1972 through DAVP, New Delhi inviting all individuals, group of persons, associations, institutions and organisations acquainted with or having knowledge directly or indirectly of the facts and circumstances relating to the matters referred to the Commission (which were detailed in the Notification) and having interest in the proceedings before the Commission or wishing to assist the Commission in making the inquiry into the matters referred to the Commission to furnish their statements relating and relevant to the matters in question. The manner by which the statements were to be filed were also detailed in that Notification, a copy of which is annexed to this report (Annexure-A).

- # 2.2 In response thereto sixty-three statements were received (later on, some of the deponents filed supplementary statements which were also entertained barring a few, as they were belated and no reasonable explanation was forthcoming for the unusual delay). However, no such statement was filed by the Central Government or the Government of West Bengal spelling out their respective stands. Once the compliance with the statutory threshold formality referred to above was over the Commission held its first public sitting on March 23, 2000. On that date the Commission examined the statements filed by the parties, heard them and/or their representatives present regarding modalities to be followed in conducting the inquiry and passed an order directing the Government of India



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and the Government of West Bengal to produce the files/documents listed therein, relying primarily on those statements. Further orders were passed from time to time asking the above two Governments to produce more files / documents and to comply with its earlier directions regarding production of files / documents. In compliance therewith quite a number of files / documents have been produced by the two Governments while rest of the files / documents called for have not been. However, grounds for non-production of some of those files/ documents have been furnished through affidavits in terms of the directions of the Commission which will be considered at the appropriate stage.

2.3 Since then the Commission held public sittings in India and abroad and in its sittings in Kolkata and New Delhi the Commission furnished, to evidence its transparency, copies of Status Reports, incorporating and detailing all its earlier activities and steps taken by it for an expeditious and meaningful inquiry till the date of hearing, to each of the interested parties and/or their learned Counsel. Besides, similar Status Reports, prepared initially every fortnight and later on monthly, were forwarded to the Ministry of Home Affairs as requested. All the Status Reports sent to the Government of India are appended to this report of inquiry in separate volumes (Volumes IIA and IIB).

(b) Its limitations and constraints

(i) re : records / documents

2.4 As stated earlier, some files / documents have not been produced by the Government of India in spite of repeated reminders. Out of these files / documents the following would have been, in the opinion of the Commission, of great assistance in answering the terms of reference:-

2.4.1 One of the files called for by the order dated March 23, 2000 was file no.12(226)/56-PM ( investigation into the circumstances leading to the death of Subhas Chandra Bose). In response thereto the Director of the Prime Minister's office (PMO for short) intimated by her letter dated May 2, 2000 that the above file was not available as it had been destroyed. On receipt of the above communication the Commission asked her, by its letter dated May 23, 2000, to intimate to the Commission the subject and contents of the above file and the circumstances under which the said file had been destroyed. When the Commission was awaiting her reply Shri A. K. Paitandy, Director (Internal Security-1) in the Ministry of Home Affairs ('MHA' for short) filed an affidavit before this Commission on June 22, 2000 wherein he stated, inter alia, as under:-

".... in view of the fact that some of the departments / organisations have informed that they do not have any papers on Netaji / INA, there seems to be

1 only Nos  
Sec 11/6



some confusion about filing of affidavits to that effect by them. In view of this fact and in deference to the directions/orders of the Commission, this Ministry is filing this affidavit on behalf of the following and I accordingly further affirm and state that there are reportedly no files/papers concerning Netaji / INA in their (the under mentioned departments') possession (emphasis supplied) :-

- # i) Cabinet Secretariat
- # ii) Intelligence Bureau
- # iii) Research and Analysis Wing

RAW

2.4.2 The assertion made by Shri Paitandy, quoted above, stood belied, as the Director of the PMO in reply to the Commission's letter dated May 23, 2000 stated (in her letter dated July 4, 2000) the "file No.12(226)/56-PM which contained agenda paper/cabinet decision regarding "Investigation into the circumstances leading to the death of Shri Subhas Chandra Bose" was destroyed in 1972 in course of routine review/weeding of old records since records of Cabinet proceedings are kept permanently in Cabinet Secretariat, from where they may be procured".(emphasis supplied).

2.4.3 To ascertain which of the above versions was correct the Commission wrote a letter to the Secretary, MHA on August 18, 2000 calling upon him to produce photocopies of all the agenda papers/Cabinet decisions concerning "Investigation into the circumstances leading to the death of Netaji" from the custody of the Cabinet Secretariat. Another letter was addressed to the Secretary of the Prime Minister's Secretariat on August 25, 2000 calling upon him to produce copies of the orders regarding destruction of files/documents concerning Netaji Subhas Chandra Bose as

also copies of the lists of files/documents destroyed pursuant to official orders. In response thereto the Director of PMO by a letter dated September 21, 2000 intimated that no order regarding destruction of files/documents could be located, but she enclosed a copy of the relevant page of the File Register showing destruction of the file in 1972. The copy of the letter received from the Director and its enclosures are annexed herewith {Annexure-A/1 (collectively)}. This was followed by a letter dated October 31, 2000 addressed to Shri A. K. Paitandy of MHA by a Deputy Secretary of the Cabinet Secretariat with a copy to the Secretary of the Commission to say that their organisation had no record relating to the events as it was formed only on September 21, 1968. It was observed therein that no further action from their organisation was called for, so far as the proceedings of the Commission were concerned, and he asked for a confirmation of that aspect. A copy of that letter is annexed herewith (Annexure- A/2).

2.4.4 While on this point it need be recalled that in the year the file is said to have been destroyed (1972), the Khosla Commission was holding its inquiry (the inquiry commenced in 1970 and concluded in 1974). Evidently, in that context Prof. Samar Guha, a Member of the then Parliament, wrote a letter to Smt. Indira Gandhi, the then Prime Minister of India, on January 3, 1974 wherein he requested the Prime Minister to investigate into the matter and forward the file, if not destroyed, to the Commission and along with the letter he enclosed a copy of the notings on the file. Smt. Gandhi wrote back to say, inter alia, that the "file contained only copies of certain documents which are still available in other files" and that is why "the file was destroyed". Copies of the letter of Prof. Guha and the reply of Smt. Gandhi are annexed herewith {Annexure-A/3 (collectively)}.



2.4.5 From the above resume of facts relating to the file in question it is evident that the stand taken by the Cabinet Secretariat is evasive and unfathomable. The Director of the Prime Minister's office (PMO for short) clearly stated in her letter dated July 4, 2000 (referred to earlier) that the file "was destroyed in 1972.... since records of Cabinet proceedings are kept permanently in the Cabinet Secretariat from where these may be procured". Since the file is said to have been destroyed four years after formation of the Cabinet Secretariat and since the records of the Cabinet proceedings are to be kept permanently in the Cabinet Secretariat the only conclusion that can be drawn is that if the file had been destroyed as claimed, the copies of the documents contained in the file were in the Cabinet Secretariat and obviously for this reason the Director of PMO asked the Commission to get the file procured therefrom. Judged in that context, the Commission would have been fully justified in pursuing the matter further with the Cabinet Secretariat to bring to their notice that their plea for not producing the papers was specious and tenuous for the reasons aforesaid, but the curt reply of its Deputy Secretary peremptorily forestalled all contemplated future attempts of the Commission to retrieve atleast the copies of the documents contained in a file bearing the subject heading "Investigation into the circumstances leading to the death of Shri Subhas Chandra Bose" which was not only the subject matter of inquiry of the Khosla Commission but is also of the present Commission.

2.5 Some of the deponents before this Commission brought to its notice that on August 3, 1977 Prof. Samar Guha moved the following motion in the Parliament (Lok Sabha):-

"That this House do consider the Report (1974) of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose laid on the Table of the House on the 3<sup>rd</sup> September, 1974"

and in reply thereto Shri Morarji Desai, the then Prime Minister of India, made the following statement on August 28, 1978:-

"There have been two enquiries into the report of the death of Netaji Subhas Chandra Bose in the air-crash on 18<sup>th</sup> August 1945 at Taihoku airfield during his air-journey to Manchuria, one by a Committee presided over by Maj. General Shah Nawaz Khan and the second by a one-man Committee (sic) of enquiry headed by Shri G.D. Khosla, retired Judge of the Punjab High Court. The Majority report of the first Committee and Shri Khosla held the report of the death as true. Since then, reasonable doubts have been cast on the correctness of the conclusions reached in the two reports and various important contradictions in the testimony of witnesses have been noticed, some further contemporary official documentary records have also become available. In the light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive."

2.5.1 Pursuant thereto this Commission asked the Prime Minister's office (PMO), the Ministry of External Affairs (MEA), the Cabinet Secretariat (CS) and the Ministry of Home Affairs (MHA) to ensure production of all those 'further contemporary official documentary records' which as stated by the Prime Minister had 'also become available' to the Government of India. They were also asked to send to the Commission



authenticated true copies of all the relevant official notes based on which the Prime Minister of India had made the above statement in the Parliament.

2.5.2 In response thereto the PMO wrote back to say by a letter dated October 29, 2001 that records of their office had been checked but no such official documents referred to in the former Prime Minister's statement could be located in their office. They, however, advised the Commission to check up separately from Ministry of Home Affairs and Ministry of External Affairs. In reply thereto the Commission asked the Secretary of PMO to file an affidavit by a competent officer not below the rank of Joint Secretary of their office clarifying /explaining the circumstances under which the Prime Minister could make the above statement.

2.5.3 In compliance with the above direction, Shri Jarnail Singh, a Joint Secretary in the PMO, filed an affidavit on December 18, 2001 wherein he averred, inter alia, 'no such records could be found in this office' and that due searches were made to trace any 'contemporary official documentary records' based on which the then Prime Minister Shri Morarji Desai had made the statement on the floor of the Parliament on August 28, 1978 as recorded at pages 455 and 456 of the Parliamentary proceedings dated August 28, 1978. He further averred that their office was not in a position to provide any clarification/explanation regarding the circumstances under which such a statement was made.

2.5.4. In the meantime, the Commission had received photocopies of a secret file bearing No.2/64/78-PM (Pol. Section) from the PMO on the subject 'NSC Bose'. On a close and careful examination of that file it appeared that there were official documents, notes and records which had led the then Prime Minister Shri Morarji Desai to make

the statement referred to above on the floor of the Parliament on August 28, 1978. In view thereof, the Commission on February 1, 2001 addressed a letter to Shri Jarnail Singh pointing out to him that by the expression 'earlier conclusions' the Prime Minister had obviously referred to the findings of the Shah Nawaz Khan Committee and the Khosla Commission and that in the context of the above facts and circumstances it seemed to be difficult to accept his (Shri Singh's) assertion in his affidavit that the PMO 'is not in a position to provide any clarification/explanation regarding the circumstances under which Shri Moraji Desai had made such a statement on the floor of the Parliament'. The Commission in its aforesaid letter having, therefore, directed Shri Singh to clarify his statement referred to above, he wrote back to say that the materials in file No.2/64/78-PM included letters from non-Government personalities with reference to old newspapers and notes thereon and in their humble understanding they did not find any contemporary 'official documentary records'

2.5.5 From the stand so taken by the Joint Secretary of PMO it appears that he had virtually pleaded his total lack of knowledge about the 'official documentary records' referred to by late Morarji Desai in his statement and Shri Jarnail Singh had left it to the Commission to decide the characteristics of the records and sent the above quoted file of the PMO. In fact, in the above file, there are no such 'official documentary records' that might have led Shri Morarji Desai to make the statement on the floor of the Parliament raising question about the findings of the earlier Committee and the Commission.

So far as Ministry of Home Affairs is concerned, Ms. Sangita Gairola, then working as a Joint Secretary in that Ministry, filed an affidavit on December 20, 2001



wherein she stated, inter alia, that no 'contemporary official records' could be located in their Ministry, and that they had taken up the matter with the Prime Minister's office with a request to trace the relevant records at their end.

2.5.6 The MEA, in reply, wrote a letter on December 18, 2001 wherein they stated that they had checked the records available in their Ministry but could not locate any document referred to in the former Prime Minister's statement. This was followed by an affidavit filed by Shri Jayant Prasad, a Joint Secretary of that office wherein a sweeping statement was made indicating that no such document was available with them. The other department with which the Commission corresponded in this regard was the Cabinet Secretariat and an affidavit was filed by a Joint Secretary in the Research and Analysis Wing at their Secretariat stating, inter alia, that there were no records relating to the statement of the late Prime Minister made on the floor of the Parliament on August 28, 1978.

2.5.7 It is thus seen from the stand taken by the Ministries/offices concerned of the Government of India that there are no contemporary official documentary records with them on the basis of which the late Prime Minister Shri Morarji Desai had made the above statement. While the Commission finds it extremely difficult to persuade itself to believe that a Prime Minister of the country would make an incorrect statement on the floor of the Parliament to invite the risk of breach of privilege in the event of non-availability of the contemporary official records referred to by him then, their non-availability now – as asserted by the senior officers of the Ministries/offices concerned of the Government of India – has, undoubtedly, put a spoke in the wheel of this inquiry.

2.6 Records of the entire proceedings of the Khosla Commission and a large number of the documents exhibited before it, though called for by this Commission from time to time since August 18, 2000, were not furnished by the Government of India. However this Commission received, inter alia, copies of the proceedings of the earlier Commission in 'Argument Session' only and a copy of a list of 202 (two hundred and two) documents exhibited before the Khosla Commission and marked by the said Commission as "Com.Nos.". Out of those 202 (two hundred and two) exhibits authenticated copies of 26 (twenty-six) exhibits and plain photocopies of 63 (sixty three) exhibits, aggregating 89 (eighty-nine) exhibits only, were furnished by the Government of India to this Commission. To retrieve the Khosla Commission documents, which were still then not received, this Commission by the middle of February, 2003 sent one of its officers to New Delhi, where the officer so deputed examined the files and documents as produced before him by the MHA officials and the officials of 'T' Section of the Internal Security Division of MHA. While examining the documents in 'T' Section, the said officer of the Commission found a list of the exhibits of the Khosla Commission similar to that referred to earlier in a file maintained in that Section, but none of the documents as mentioned therein, though asked for by the officer, could be made available to him for scrutiny.

2.7 The other formidable impediments the Commission encountered may now be stated : in course of the inquiry the Commission went to England to study relevant files and records of some libraries and offices, details of which will be furnished at the appropriate stage. During inspection of the records, the Commission, however, was not given access to two files, as they were marked "closed". Since the Commission felt



that those files might contain relevant papers, it approached the Foreign and Commonwealth Office of the British Government. Instead of handing over the files for inspection that office handed over a note indicating, inter alia, that a few papers of the files of the Intelligence and Security Agencies were withheld from release with the approval of Lord Chancellor in accordance with Section 3(4) of the Public Record Act. A copy of the said note is annexed herewith {Annexure-A/4 (collectively)}.

2.7.1 Finding no other alternative, the Commission met Lord Peter Archer, one of the Members of the House of Lords, requesting him to persuade the Lord Chancellor to give it (the Commission) access to the documents in question and he promised to do the needful in the matter. However, ultimately, Lord Peter Archer failed in his persuasion and suggested that there might be greater success if diplomatic representations were made between the two Governments. The correspondence that passed in this respect between the Chairman of the Commission and Lord Peter Archer are annexed herewith {Annexure-A/5 (collectively)}.

2.7.2 Taking a cue therefrom, the Chairman personally approached the Minister of External Affairs, Government of India requesting him to take up the matter at Government level with the Lord Chancellor and he assured necessary action in the matter. A formal reply dated November 13, 2002 in this regard was also received from the Minister, a copy of which is annexed herewith (Annexure-A/6). Later on, the Commission received from a Joint Secretary of the Ministry of External Affairs, Government of India, a letter dated July 15, 2003 wherein a communication dated May 22, 2003 of the Foreign and Commonwealth Office of the British Government to the office of the High Commission of India was enclosed. In that communication the said

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British office reiterated their earlier stand regarding disclosure of the documents in question and expressed their inability to say anything helpful on that issue. A copy of the said communication is annexed herewith (Annexure-A/7).

2.7.3 In April, 2001 the Commission asked the Ministry of External Affairs to request the Government of United States of America (USA for short) to make available to the Commission all declassified documents on Netaji Subhas Chandra Bose / INA in their possession including those of CIA and McArthur papers. Presumably, in response thereto the Ministry of External Affairs took up the matter with the Embassy of India in USA in May, 2001 and asked the latter to do the needful. However, as no effective communication on this issue had been received from the Ministry of External Affairs or the Embassy, the Chairman of the Commission met the Minister of External Affairs, Government of India on October 28, 2002 and requested him to persuade the Government of USA (besides other Governments) to make available or accessible to the Commission all documents containing evidence / materials relating to and / or having relevance to the inquiry which were in the possession and / or under the control of the aforesaid Government or were likely to be available in their archives. Following the discussion a letter dated November 11, 2002 was sent to the Joint Secretary (CNV) of Ministry of External Affairs. A copy of the said letter is annexed herewith (Annexure-A/8). In the meantime, on November 1, 2002 to be precise, one of the deponents before this Commission, viz., Shri Nandalal Chakrabarti, handed over a letter addressed to the Secretary of the Commission, requesting the Commission to visit UK, USA and Germany for reasons canvassed therein. That letter was also forwarded to the Ministry of External Affairs for doing the needful. A copy of the letter is annexed herewith.



(Annexure-A/9). In response to those two letters, the Joint Secretary addressed a letter dated April 22, 2003 to the Secretary of the Commission apprising him of the steps taken by the Ministry of External Affairs and the Indian Embassy in Washington and enclosed therewith a letter received by the Embassy of India from the Director of Textual Archives Services Division of USA. Copies of the letter dated April 22, 2003 and of its enclosure are annexed herewith {Annexure-A/10 (collectively)}. Since the response of the above Director was a positive one, the Commission asked the MEA to take up the matter with the American Embassy so that the Commission might get access to the relevant records. It appears that the MEA took up the matter with the American Embassy in India and the latter wrote a letter dated June 23, 2003 to the Joint Secretary, US-Canada Division of the MEA whereby the Embassy joined issue with the response of the Director of the Archives mentioned above. A copy of the said letter is annexed herewith (Annexure-A/11). However, taking a cue from the ultimate paragraph of that letter of the Embassy, the Commission requested MEA to engage some suitable willing scholars or students of Post Graduate class, preferably of Law, Historical Research, Political Science, etc., to do the job of archival research at various American repositories of relevant historical documents on Netaji Subhas Chandra Bose vide its letter dated June 28, 2004. A copy of that letter is annexed herewith (Annexure-A/12). Reminders were also issued through the Commission's letters dated July 6, 2004 and September 2, 2004 but no action was taken in this regard. Copies of the said letters are annexed herewith {Annexures-A/13 (collectively)}

(ii) re : DNA test of the ashes

2.8 In connection with the inquiry the Commission went to Tokyo to examine Dr. Taneyoshi Yoshimi, the only surviving witness to Netaji's alleged death in a military hospital in Taihoku and to visit the Renkoji Temple where the alleged ashes of Netaji have been kept. In the aforesaid temple an urn inside a glass chamber was noticed which allegedly contains the ashes. When the Reverend Chief Minister of the temple (Chief Priest) was asked to open the urn to ascertain whether there were any bones in the ashes which could, if possible, be subjected to DNA test, he stated that without a competent mechanic it was not possible to open the glass chamber and for that matter the urn and that the date of visit (September 16, 2002) being a holiday, it was not possible to requisition the services of any mechanic to open the glass chamber and inspect the contents of the urn. He, however, assured that if a prior notice was given he would make necessary arrangement to have the glass chamber and the urn opened. Since the itinerary of the Commission did not permit to extend its stay in Tokyo for a day more, a formal request was made to the Indian Ambassador in Japan to depute a competent representative of his Embassy to inspect the ashes and to report whether there were any bones in the ashes.

2.8.1 In deference to the request the Ambassador deputed two senior officers of the Embassy, namely Shri C. Rajasekhar, First Secretary and Mr. T. Armstrong Changsan Second Secretary to do the needful. Those two officers went to the temple on October 24, 2002 and opened the casket in presence of the Chief Priest and his wife, examined the contents and took photographs. Thereafter, they sent a joint report to the Chairman of



the Commission along with the photographs. Copies of the report and the photographs are annexed herewith {marked Annexure-B, B/1 (collectively)}.

2.8.2 On receipt of the report and the photographs the Commission wrote to the Director, Centre for Cellular and Molecular Biology as also to the Director, Centre for DNA Fingerprinting and Diagnostics at Hyderabad on December 5, 2002, enclosing copies of the aforesaid report and photographs and requesting them to let the Commission know whether DNA test could be conducted on the bones found in the ashes. In reply, the Director, CCMB in his letter dated December 10, 2002 informed that if the bones were collected from burnt ashes it would not be possible to isolate DNA from the bones for DNA test, as DNA would have been completely destroyed but if those were remains of bones (not burnt bones), then presence of the DNA was likely to be there though in a degraded form, but still usable for establishing identity. The Director, CCMB further informed that special laboratory facility needed for conducting the proposed DNA test not being available in India, the said test could not be carried out in this country. Copies of the correspondence referred to above are annexed herewith and marked Annexure B/2 (collectively).

2.8.3 In that perspective the Indian Embassy in Japan was requested in the Commission's letter dated December 17, 2002 and December 26, 2002 (copies annexed and marked Annexure B/3 collectively) to get the bones lying at the Renkoji Temple examined afresh, preferably by or in collaboration with an expert and inform the Commission whether the bones seen and photographed were remains of burnt bones or pieces of unburnt bones. In reply, the Embassy in a Fax message dated December 27,

2002 (copy annexed and marked Annexure B/4) assured that they would solicit the services of an expert and furnish his opinion to the Commission with promptitude.

2.8.4 While the matter had been pending with the Embassy the Commission went on with its hunt for an expert who might be able to conduct a successful DNA test on the mortal remains in question. The reply dated December 10, 2002 received from the Director, CCMB, Hyderabad having revealed the existence of a laboratory in Germany where the proposed DNA test could be conducted, the Commission wrote to the contact person, namely Prof. Dr. Svante Paabo, Director, Department of Genetics, Max Planck Institute for Evolutionary Anthropology, Leipzig, Germany to know about the feasibility of a DNA test of the ashes kept in the Renkoji Temple. In reply, Dr. Paabo expressed his inability to perform the work and advised the Commission to contact Prof. Mark Stoneking (contact person : Terry Melton) or Prof. Sir Alec Jeffreys of the Department of Genetics at the University of Leicester (U.K.). Pursuant to the information so received the Commission corresponded with both the experts as named by Dr. Paabo and received replies from them. In his reply Prof. Alec Jeffreys expressed doubt about the success of a DNA test on bone samples which had been subjected to high temperatures and regretted his inability to do the job in his laboratory. He advised the Commission to contact one of the national forensic service laboratories, for example, U.K. Forensic Service in Birmingham, as those laboratories, in his opinion, were fully tooled up to perform the complex analysis required in the case and further suggested that the Commission had an worth exploring option in India - one obvious contact would be the Director, CCMB, Hyderabad. The reply received from Terry Melton was on the same line with that from Prof. Alec Jeffreys inasmuch as the former also doubted the success of



the DNA testing of the ashes is question. According to Terry Melton, cremated remains are very unlikely to give a DNA profile. He, however, agreed to hold a standard forensic mitochondrial DNA test on the ashes including making an attempt to recover degraded DNA, if necessary, provided that recognizable teeth or other anatomically identifiable parts were available therein. He recommended a thorough anthropological evaluation of the remains including photography, apprised the Commission of his requirements for performing the DNA analysis and stipulated certain preconditions which included the anthropologist's report being made available to him prior to his proceeding to do the job. Obviously, the test as suggested by Terry Melton highlighted the need of a thorough physical inspection by an expert of the contents of the casket kept in the Renkoji temple before undertaking the job by him. Copies of the correspondence with the foreign experts as referred to in this paragraph are annexed herewith and marked Annexure B/5 (collectively).

2.8.5 In view of Prof. Sir Alec Jeffreys' reply referred to earlier the Commission wrote to Ministry of External Affairs, Government of India on January 27, 2003 (copy annexed and marked Annexure B/6), requesting them to collect and furnish to the Commission the particulars of the national forensic service laboratories in U.K., but no reply was received by the Commission in this regard.

2.8.6 The expert opinion, prompt transmission of which had been assured by the Indian Embassy in Japan earlier, not having been furnished despite reminders issued by the Commission from time to time, the Commission in its letter dated March 13, 2003 sought intervention from MEA in the matter. A copy of the Fax message dated December 27, 2002 received from the Indian Embassy in Tokyo accompanied that letter (copies

annexed and marked Annexure B/7 collectively). On March 26, 2003 MEA replied (copy annexed and marked Annexure B/8) that they had referred the matter for advice to MHA --- the nodal Ministry --- and would revert to the Commission soon after receiving decision/advice from MHA. On receipt of that intimation from MEA the Commission addressed its letter dated April 10, 2003 to MHA with copy forwarded to MEA, enclosing copies of all previous correspondence relevant to the issue including a copy of the reply received from Terry Melton, apprising the nodal Ministry of the problem associated with DNA test of the ashes and requesting the Ministry to take an early action for getting the anthropological evaluation and other necessary scientific test of the ashes lying at the Renkoji Temple done for the purpose of determining the feasibility of DNA test on the said ashes. In reply, MHA in their letter dated August 13, 2003 informed, inter alia, that it was for the Commission to take a decision regarding holding of anthropological evaluation for determining the feasibility of DNA test and selection of experts for that purpose, that once such decision was taken by the Commission, it might inform MEA which had a mind to facilitate the visit of experts to Japan in so far as liaison with the local government, Renkoji Temple authorities, etc. was concerned and that if the Commission was in need of any logistic support from MHA, specific proposals therefor might be sent to them. Copies of the letter dated April 10, 2003, (bereft of the relevant enclosures of the letter as already annexed to this report) and the reply received from MHA are annexed herewith and marked Annexures B/9 & B/10 respectively.

2.8.7 The decision regarding DNA test of the ashes kept in the Renkoji Temple was taken by the Commission soon after its receiving the report of inspection of the contents of the urn along with the photographs thereof from the Indian Embassy in Japan. The



Renkoji Temple authorities also, it appeared from MEA's letter dated May 31, 2004, had given their assent to a DNA test being conducted on the ashes kept in their custody subject to fulfilment of certain conditions. The Commission accepted those conditions in toto and wrote to MEA on June 17, 2004, informing them of its decision regarding holding of DNA test of the ashes as also the factum of its acceptance of the conditions as stipulated by the Renkoji Temple authorities for such test and requesting the Ministry to take further necessary action in the matter. Copies of the MEA's letter dated May 31, 2004 and the Commission's letter dated June 17, 2004 are annexed herewith (Annexures-B/11 and B/12).

2.8.8 In the meantime - towards the end of April, 2004 - the Commission received from the Director, Central Forensic Science Laboratory, Kolkata a letter dated April 28, 2004 in which the names and other particulars of three Japanese DNA scientists had been furnished in order to enable the Commission to get a successful DNA test done on the ashes kept in the Renkoji Temple with the help of any one or more of those scientists who might be considered suitable for the job. On receipt of that letter the Commission wrote to the Director, CCMB, Hyderabad on May 6, 2004, furnishing the particulars of those scientists and enquiring about their competence and suitability for the proposed DNA test. In reply, the Director, CCMB, Hyderabad in his letter dated May 17, 2004 addressed to the Commission strongly recommended the name of Prof. Saitou Naruya for carrying out the test. Accordingly, the Commission wrote to Prof. Naruya on May 26, 2004, requesting him to let the Commission know whether the DNA test on the ashes in question was feasible and, if feasible, to conduct such test. On June 11, 2004 Prof. Naruya sent his reply in which he negated the possibility of a

successful DNA test on the ashes in question. According to him, the DNA examination from such 'ash' is usually impossible because of critical damage to DNA and other biomolecules when a dead human body is burnt down into ashes and the only possibility may be to compare morphological similarity between some remnant teeth and/or skull in ash with some other reference material. On June 21, 2004 the Commission again wrote to Prof. Naruya, transmitting to him six photographs of the ashes kept in the Renkoji Temple and requesting him to examine the photographs and give his valued opinion on the feasibility or otherwise of DNA test of the ashes as shown in those photographs. On July 16, 2004 Prof. Naruya wrote back to the Commission to say that he had examined the photographs sent to him and that in his opinion, it was unlikely to extract DNA fragments by using PCR (polymerase chain reaction) from the bones as shown in the pictures for individual identification. In that letter he, however, stated that his aforesaid assessment might not be valid, as he was not specialized in forensic science. He, therefore, evinced his intention to get the aforesaid photos examined by a specialist on forensic science and to obtain professional opinion from such an expert and sought permission therefor from the Commission. The Commission accorded permission as asked for by Prof. Naruya for obtaining a second opinion. On July 20, 2004 Prof. Naruya informed the Commission that he had contacted Dr. Yamamoto, a forensic DNA expert of Nagoya University, who had agreed to examine the photos of bones and on July 23, 2004 he further informed the Commission that after examination of the photos Dr. Yamamoto also had reached the same conclusion as he had reached earlier and that all bones and teeth as shown in the photographs having received high heat, there was almost no possibility to



obtain DNA from the bone materials. Copies of the correspondence referred to above are annexed herewith and marked Annexure B/13 (collectively).

2.8.9 The Ancient DNA Facility having reportedly become fully functional at CCMB, Hyderabad, brightening the prospect of the proposed DNA test of the ashes, the Commission approached the Director, CCMB again with the photographs of the contents of the urn received from the Indian Embassy in Japan earlier for his re-examination and opinion. The Director, CCMB after looking into those photographs opined in his letter dated November 3, 2004 addressed to the Commission that the photographs showed existence of completely burnt bones leaving very little hope for the survival of DNA as well as relatively less charred bones wherefrom it might be possible to isolate DNA for the purpose of establishing the identity of the deceased. He, therefore, advised that a scientist, specially a molecular biologist, might be requested to sort out the potentially less charred pieces of bones for being brought to India in a sealed plastic bag at room temperature. Obviously, the proposed DNA test of the ashes, if feasible, depended primarily on the access being given by the Renkoji Temple authorities to a scientist for the purpose of collection of the potentially less charred pieces of bones from the contents of the urn kept in the temple. Thus, the question of physical inspection of the ashes by an expert once again came to the surface. Therefore, in view of CCMB's advice referred to above the Commission wrote to MEA on November 9, 2004, enclosing a copy of the CCMB's letter dated November 3, 2004 and requesting the Ministry to let the Commission know whether the Renkoji Temple authorities would accede to a request of allowing an expert to be deputed by the Commission to sort out potentially less charred bone pieces from the ashes kept in the urn for the purpose of ascertaining whether DNA

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could be extracted therefrom. Copies of the CCMB's letter dated November 3, 2004 and the Commission's letter dated November 9, 2004 referred to above are annexed herewith {(marked Annexure B/14 (collectively))}.

2.8.10 Almost six months later – on May 2, 2005 to be precise - the Commission received from MEA their letter dated April 25, 2005 together with the enclosures thereof, wherefrom it appeared, inter alia, that the Indian Mission in Japan having made, in deference to the Commission's request, a formal proposal to the Head Priest of the Renkoji Temple to allow a competent person to be deputed by the Commission to select potentially less charred bone pieces from the mortal remains lying with the Temple, the Head Priest had sent a reply thereto, agreeing to the DNA testing of the remains. The enclosures of that letter, which comprise a copy of the Head Priest's reply in Japanese language and an unofficial English translation thereof, did not, however, answer, much less approve, the formal proposal reported to have been forwarded to him at the instance of the Commission. Selection of potentially less charred bone pieces from the ashes kept in the Temple without the consent and active co-operation of the Temple authorities being utterly impossible, the Commission, in the interest of DNA testing of the ashes, wrote to MEA again on May 20, 2005, requesting the said Ministry to persuade the Temple authorities to accord their consent to selection of potentially less charred bone pieces from the casket in terms of the Commission's letter dated November 9, 2004 referred to above so as to facilitate the DNA testing without further loss of time. Unfortunately, the Commission's letter dated May 20, 2005 evoked no response. In such a helpless situation the Commission issued a reminder also on July 4, 2005 to MEA with a copy forwarded to MHA for taking necessary action in the matter. No reply from either



Ministry having been received by the Commission till the time of writing this report, it could not proceed further with the matter. Copy of MEA's letter dated April 25, 2005 together with the enclosures thereof and copies of the Commission's letter dated May 20, 2005 and its reminder dated July 4, 2005 are annexed herewith ((marked Annexure B/15 (collectively ))

2.8.11 From the foregoing it will be evident that so far as the DNA testing of the ashes is concerned, the reports received by the Commission from different experts at home and abroad practically projected a bleak prospect. In spite thereof, the Commission, considering the faint possibility of the DNA testing as indicated by CCMB, made persistent efforts to persuade the Temple authorities through MEA to allow physical inspection and collection of potentially less charred bone pieces from the casket lying in their custody. While on this point it may be mentioned, even at the risk of repetition, that if the recommendations of Terry Melton referred to earlier were to be acted upon; such inspection was an absolute necessity. But on account of the Temple authorities' reticence as mentioned earlier the Commission could not proceed further in the matter.

(c) Evidence gleaned / adduced – both oral and documentary

2.9 Owing to long passage of time a considerable number of witnesses whose evidence might have been helpful to this inquiry were found to be either dead or untraceable or too old and infirm to depose and quite a number of documents which might have been relevant to the inquiry could not be traced. Nevertheless, the Commission has been able to examine 131 witnesses in and outside India. A list of the witnesses examined including the date and venue of their examination is attached to this report. Be it mentioned here that no witness was produced by the Central Government at its own initiative. So far as documents are concerned, the Commission, relying upon the statements filed before it by the deponents and information received from various sources both within and without India, called for and / or looked into files / documents of different agencies and authorities including the Central Government, some of the State Governments and National Archives. Through this process the Commission, on perusal of 730 files / documents, formally exhibited only those documents which were found to be relevant for the purpose of the inquiry. Quite a number of files/documents have also been exhibited by some witnesses in course of their examination before this Commission. The total number of files / documents that have been thus marked exhibits, either individually or collectively, in the inquiry comes to 308.

2.9.1 It is pertinent to point out here that while producing the files / documents in compliance with the direction of the Commission the Government of India filed two applications supported by affidavits of its officers claiming privilege under sections 123 and 124 of the Evidence Act and Article 74 (2) of the Constitution of India in respect of documents contained in three files. Some of the deponents raised vehement



objection to such claim on various grounds. After hearing the deponents concerned and/or their learned Counsel and the learned Counsel for the Government of India, the Commission directed the officers concerned who had filed the applications claiming privilege to specifically indicate the documents in respect of which the privilege was being claimed as the files in question contained not only official notes and correspondence of the Ministers and senior officers of the Government but also records of Parliamentary proceedings, newspaper cuttings and open letters sent by eminent citizens to the Ministry of Home Affairs and similar other documents which, by no stretch of imagination, could be treated as secret documents so as to entitle the Government of India to claim privilege in respect thereof. Pursuant to the said direction, supplementary affidavit was filed on behalf of the Government of India specifying the documents in respect of which privilege was being claimed. After perusing the documents the Commission felt that it would be appropriate to pass necessary orders on the issue after its visit to London to study declassified records there pertaining to Netaji and relevant to this inquiry.

2.9.2 After return from England it was felt by the Commission that all relevant documents and files relating to the terms of reference as made available to it from time to time by different agencies including the Government of India were also required to be studied before deciding the claim of privilege. After the study was complete the Commission passed an order on December 9, 2004 observing that the documents in question were neither necessary nor relevant for answering the terms of reference of the inquiry and, resultantly, the question whether the claim of privilege in respect thereof was justified or not need not be answered. The applications seeking claim of privilege

were thus disposed of. Copies of all the orders passed in connection with the claim of privilege are annexed herewith (Annexure-C collectively).

2.9.3 The Commission also visited various establishments of Government of Taiwan and the local government of Taipei city to look for and into documents which might be relevant to answer the terms of reference. The Chairman of the Commission, on return from Taipei, prepared a memorandum detailing therein the documents received by him there and some more documents required by the Commission but not readily available, for the transmission of which request was made by the Chairman to the official concerned on the eve of his departure. A copy of the memorandum is annexed herewith (Annexure-C/1). While returning from Taipei the Commission also visited Bangkok and examined a witness there. The evidence of the witness will be discussed at the appropriate stage.

2.9.4 Lastly, the Commission visited Russian Federation to examine some witnesses and inspect records in various archives of Russian Federation. On return, the Chairman prepared a memorandum, incorporating therein the names of the witnesses examined and the outcome of the visit to different archives. A copy of the memorandum is annexed herewith and marked Annexure-C/2.

2.9.5 Besides the documents referred to above, the Commission received 18 reader-printer copies of micro film rolls from the Public Record Office London and one from the University of Southampton, England. Another four bundles of documents in Russian language were received from the Asiatic Society, Kolkata. The Commission requisitioned the services of two competent persons conversant with Russian language to study and translate them in English. On perusal of the translated version of the above two categories of documents it was found to be not relevant.



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2.9.6 Apart from the above documents, the Commission has received 105 books - 47 in English, one in Russian and 57 including 14 journals in vernacular - from different deponents and other sources.

2.9.7 The other materials which have been produced before the Commission or received from some deponents and other sources are different photographs, tape records and compact discs. Out of them those found relevant have been marked material exhibits in the course of the inquiry.

(d) Arguments

2.10 Before hearing the arguments on the terms of reference, the learned Counsel appearing for the parties were heard on the question whether the Indian Evidence Act, 1872 would apply to the proceedings of this inquiry. Ms. Chandreyee Alam, Shri Rudrajyoti Bhattacharjee and Shri Keshab Bhattacharjee, the learned Counsel appearing for some of the parties, and Shri Tarakeswar Pal, the learned Counsel appearing for the Government of India have submitted, in one voice, that the above Act has no manner of application to the proceedings of an inquiry of a Commission appointed under the Act (as the present one) and in support of their contention relied upon some decisions of the Supreme Court of India and also of some High Courts of India. Besides the decisions cited by the learned Counsel, there are quite a number of other decisions of the High Courts and the Supreme Court - which the Commission could lay hands on - wherein it has been laid down, in no uncertain terms, that the Evidence Act does not apply to such an inquiry. To eschew prolixity it will be appropriate to detail the reasons that have weighed with the High Courts and the Supreme Court in arriving at their such conclusion instead of citing the decisions and referring to their contents in extenso. The reasons are:

- i) A Commission appointed under the Act does not decide any dispute;
- ii) There are no parties before the Commission, there is no lis and the Commission is not a 'Court' within the meaning of section 3 of the Indian Evidence Act;



- iii) The Commission is a fact finding body meant only to instruct the mind of the Government without producing any document of a judicial nature much less an enforceable one;
- iv) It is not asked to give a decision as to the respective rights and liabilities of any person or to punish any wrong;
- v) There is no issue between the parties for the Commission to decide and no defendant or any accused person to be tried; and
- vi) The mere fact that the procedure adopted by the Commission is of a legal character and it has power to administer an oath will not impart to it the status of a 'Court'.

2.10.1 Though in view of the principles so laid down the technical rules of the Evidence Act will not govern the admissibility of evidence before it, it cannot be gainsaid that to obviate injustice and to demonstrate fair play the Commission has to, in holding its inquiry, conform to the cardinal rules relating to reception of evidence. To strike a balance between these two apparently conflicting considerations it will be meet and proper to treat any material brought before it as evidence which is legally probative for a prudent mind but not admissible in accordance with the strict and sophisticated rules of the Evidence Act which govern, inter alia, reception of evidence in criminal and civil cases except that it (the Commission) will not be justified in relying upon those parts of the testimonies of the witnesses and of the documents which are based solely on hearsay, result of investigation or expressions of opinion (except those of experts) and belief.

2.10.2 Keeping in view the above yardstick relating to reception of evidence in this inquiry, the deponents and/or their Counsel were asked to make their submissions on the issues (the terms of reference) before the Commission. In response thereto Ms. Chandreyee Alam, Shri Keshab Bhattacharjee, Shri Rudrajyoti Bhattacharjee, Shri Supriyo Bose, the learned Counsel appearing for some of the deponents, Shri Tarakeswar Pal, - the learned Counsel appearing for Government of India and deponents Dr. Madhusudan Pal, Professor Nandalal Chakrabarti, Dr. Susanta Mitra, Shri Kanailal Basu, Dr. Bijoy Ketan Mukherjee, Shri Sukhendu Kumar Baur, Shri Subhas Ranjan Dasgupta and Shri Satyabrata Tapadar made their respective submissions in detail. Some of them have filed written arguments also to supplement their oral submissions.

Consequent upon the conclusion of the arguments the findings on the terms of reference are to be recorded and it will be apposite to record the same at appropriate stages.



### Chapter Three

#### Whether Netaji Subhas Chandra Bose is dead or alive

3.1 Five versions relating to Netaji's death including the dates and places thereof have been received by this Commission but to answer the above question those details need not be stated here, as they will have to be discussed at length in the following chapter. For the present purpose reference only to the dates and places of death would suffice. Chronologically arranged, these particulars are as follows:-

- i) He was murdered at the Red Fort in New Delhi on August 15, 1945;
- ii) He died in an air crash at Taihoku (now Taipei) in Taiwan (formerly Formosa) on August 18, 1945;
- iii) He died at Dehradun, Uttar Pradesh (now Uttaranchal) in 1977;
- iv) He died at Sheopurkalan in the State of Madhya Pradesh on May 21, 1977; and
- v) He died at Ram Bhawan in Faizabad, Uttar Pradesh, on September 16, 1985.

3.1.1 Needless to say, if it is conclusively proved that he died on any of the dates and places mentioned above, the versions relating to his death on subsequent dates need not be dealt with as that would be redundant. If, however, it is found that none of the above versions relating to his death has been established, the question whether he is still alive or not has to be answered.

3.2 Considering the facts that the average life span of an Indian is 70 – 75 years and that Netaji was born on January 23, 1897 (which is not disputed) more than 108 years ago, it can safely and surely be presumed that he is no more. While on this point it need be mentioned that some of the deponents and some learned Counsel appearing before this Commission have stated, in no uncertain terms, that as there is no truth in any of the versions relating to Netaji's death it must be presumed that he is still alive for, according to them, a person can live beyond the age of 100 years. In support of this submission they have drawn the attention of the Commission to a photograph annexed to a statement supported by an affidavit filed by Shri Jyotish Chandra Bose and others wherefrom it appears that a Sadhu aged 124 years was found to be living in the year 2000.

3.2.1 It is, of course, true that it is 'possible' for a person to live beyond the average life span of an Indian and in a rare case even more than 100 years, but any person or authority entrusted with the duty of investigating into a question of fact has to find an answer thereto depending on whether it is 'probable' - and not 'possible'. The distinction between the above two expressions is that while the former means what is likely to happen in the common course of events, the latter means what is unlikely to happen in the common course of events but may happen in exceptional cases. Judged in the light of the above principle, if it is found that none of the versions regarding Netaji's death is substantiated the only legitimate inference that can be drawn at this distant point of time is that Netaji is no more. Thus said, the truth or otherwise of the different versions relating to Netaji's death may now be delved into.



## Chapter Four

### Different versions of Netaji's death

#### (i) Death in the Red Fort

4.1 One Shri Usha Ranjan Bhattacharjee, a resident of Calcutta, filed a statement, supported by an affidavit, before this Commission contending that Netaji was deliberately murdered in the Red Fort on August 15, 1945 at zero hour after he had been arrested at the Indian National Army's Training Centre in Seramban and brought to Delhi on the previous night via Singapore. According to him, he was confined in a secluded cell in the Red Fort wherefrom he was brought out and fatally shot at. He further stated that the body of Netaji was burnt and his ashes were buried in the Red Fort immediately after his murder. In view of his such assertion he was examined on oath (CW 86) and in course of his examination he reiterated his above version regarding Netaji's death and burial. When asked by the Commission as to whether he had any document in support of his such contention, his answer was in the negative. His attention was drawn to a book written by him titled 'Netajike Lal Kellai Hotya' (Netaji was murdered in Red Fort) wherein he has detailed the manner in which Netaji was murdered in the Lal Kella (Red Fort); and when he was asked as to the source of his knowledge of the murder he stated, "the story was given out of presumption and assumption". In view of his such admission and absence of any other evidence in this regard his above contention, being a figment of imagination, has got to be rejected outright.

(ii) Death in the Plane Crash

4.2 The question as to whether Netaji met with his death in a plane crash has had been engaging the attention of the people of India in general, and Governments of different countries including of India, in particular, since the news of his alleged death was aired from Japan on August 23, 1945. Following the news, initially a number of inquiries were held at the instance of the British, Chinese and Japanese Governments to ascertain the truth. Later on the Government of India had, as earlier noticed, appointed a three-member Committee in 1956 and a one-member Commission in 1970. Both the Committee (by its majority view) and the Commission answered the above question in the affirmative. Notwithstanding its acceptance of those reports the Government of India has constituted this one-member Commission again for reasons earlier mentioned to answer the same question and other related questions. Since the function of this Commission is not that of an appellate body sitting in judgment over the findings of the Committee and the earlier Commission, it (this Commission) has to answer the above question afresh without being in any way influenced by the reasons that weighed with them in arriving at their respective conclusions. However, this Commission will have to fall back upon the evidence recorded by the Committee and the earlier Commission having regard to the fact that owing to long lapse of time none of the witnesses (except one) who testified before them in support of death of Netaji in the plane crash is available now. In discussing their evidence the Commission will refer to them by their respective witness numbers with the abbreviated prefix S (for Shah Nawaz Khan Committee) and K (for Khosla Commission) to distinguish them from the witnesses



examined by this Commission who have been and are to be identified as C.W.S. Besides, this Commission, being a fact finding one, will also look into the materials which were collected by the authorities / persons who had held inquiries pursuant to the orders of the foreign Governments. These prefatory observations and remarks now set the stage for recounting the story of the plane crash. Shorn of details it runs thus :

4.3 In the afternoon of August 15, 1945 while Netaji was in Singapore, the Government of Japan officially announced the news of their surrender to the Allied Powers. On hearing the news Netaji discussed the matter with his colleagues and Ministers of the Provisional Government of Free India (of which Netaji was the Head) as to the course of action to be followed consequent upon the Japanese surrender. Though Netaji was willing to surrender to the Allied Powers, his colleagues persuaded him to go out of Singapore to some Russian territory, for they felt that no useful purpose would be served by his surrender and being taken as a prisoner. After the decision was taken Netaji along with his colleagues including Col. Habibur Rahman, Col. Pritam Singh and others left for Bangkok on the following day, i.e. August 16, 1945. From there Netaji along with his colleagues and some officers of the Japanese Army left for Saigon in the morning of August 17, 1945 in two bomber planes. At Saigon difficulty was experienced in continuing with the two bomber planes in which the journey to Saigon had been performed as the two bombers had to return. However, Netaji was told that a bomber plane in which some military personnel were to travel to Manchuria would leave Saigon in the afternoon. That plane had come from Manila and was fully loaded with passengers and baggage. Netaji was informed that it would be impossible to accommodate his entire party and he could at best be provided with one seat in the plane. Netaji was

unwilling to leave without his colleagues and he sent an appeal to Field Marshall Terauchi, who was in overall command of military operations in South East Asia, to make necessary arrangements to accommodate his colleagues. His appeal, however, was turned down except that a second seat was offered to him. Netaji hurriedly consulted his colleagues and they prevailed upon him accepting the offer. Left with no other alternative, he chose Habibur Rahman to be his co-passenger. Then the plane carrying Netaji, Habibur Rahman and some Japanese officers including Gen. Shidei left Saigon for Tokyo via Manchuria at 5 p.m. and arrived at Tourane at 7.45 p.m. As it was not considered safe to travel beyond Tourane the same day the party spent their night there. The next morning (on August 18) the plane left Tourane at 7.00 a.m. and flew to Taihoku (in Formosa) and after a brief halt there for refuelling the plane took off from Taihoku at 2.30 p.m. Immediately thereafter the plane crashed on the airfield and burst into flames. The pilot and Gen. Shidei, who were inside the plane, met with an instantaneous death. The remaining crew and passengers including Netaji and Habibur Rahman were able to come out of the wreckage alive but several of them sustained burn injuries. Of them Netaji and the co-pilot suffered serious burn injuries. The injured were taken to the Military Hospital a few kilometers away where Netaji and the co-pilot succumbed to their injuries the same night. The injuries of Habibur Rahman were, however, not serious. Netaji was cremated a day or two later in the crematorium of Taipei and the ashes were collected. Later on the ashes were sent in a box to Tokyo and ultimately enshrined in the local Renkoji Temple and the same still remain there.



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4.4 Before detailing and discussing the evidence adduced in support of Netaji's death in the plane crash, it may be mentioned here that the story of Netaji's leaving Singapore on August 15, 1945 and reaching Saigon on August 17, 1945 via Bangkok has not been assailed before this Commission and, as it appears from the records, was not assailed also before the Committee and the earlier Commission obviously because there is overwhelming evidence in support thereof. For the selfsame reason the departure of Netaji from Saigon on August 17, 1945 along with Habibur Rahman and some Japanese officers for going to Russia via Manchuria is also not in controversy. Such being the state of evidence obtaining on record, it will be appropriate now to discuss and detail the evidence regarding the death of Netaji in the plane crash.

4.5 To prove Netaji's death in the plane crash seven witnesses have testified before this Commission. They are : Shri Suman Chattopadhyay, Executive Director of the Bengali daily 'Ananda Bazar Patrika' (CW 6), Dr. (Col.) Lakshmi Sahgal, erstwhile member of the Indian National Army (INA) and the Commanding Officer of the Rani Jhansi Bahini (CW 22), Capt. Barindra Karmakar, also a former member of INA (CW 46), Shri Pranab Mukherjee, a former Minister of the External Affairs and presently the Defence Minister of the Government of India (CW 48), Shri K. Natwar Singh who was a Minister of State of External Affairs from 1986 - 1989 and is now the Minister of External Affairs, Government of India (CW 66), Dr. Taneoyoshi Yoshimi, a former doctor in the Army Hospital in Taipei (CW 84) and Sk. Husamuddin B. Kapasi, a resident of Bangkok, whose father was actively connected with INA and was a Minister in the Interim Cabinet of Netaji (CW 127).

4.5.1 CW 6 was examined as he had written an article in the Ananda Bazar Patrika dated March 30, 1994 wherein he had asserted that the death of Netaji was beyond doubt. In that context he was asked to disclose the materials which prompted him to draw the above conclusion. In reply he stated that the above assertion was the outcome of the research he had undertaken regarding Netaji's death in the plane crash. On being asked to produce the documents in proof of the above fact he admitted that he had no documents in support thereof. He, however, stated that in connection with his research he had also interacted with a number of persons competent to testify to Netaji's death in the plane crash - both in India and outside.

4.5.2 CW 22 stated that her assertion before the Press that Netaji died on August 18, 1945 at Taipei and his ashes were kept in the Renkoji Temple in Japan was based on her belief. When her attention was drawn to the following press statement attributed to her "I know much more than many Commissions or detective reports what had actually happened at Taipei on August 18, 1945" she gave the following answer:

"I did not make any such statement. As I have already said, I was not present at Taipei at the time of the occurrence and as such there cannot be any question of my making any such claim. I could not be his constant companion. He was the Supreme Commander, while I was a Captain."

4.5.3 CW 46 filed a statement supported by an affidavit wherein he averred that Netaji died in a plane crash. He was, therefore, asked the basis of his such averment. In reply he stated that relying on the talk he had with Shri Habibur Rahman, whom he met in the last week of August, 1945 he made that statement. He further stated that he



had found some burnt spots at the back of his both hands and a white patch behind one of the ears of Habibur Rahman.

4.5.4 CW 48 testified that in 1995 in his capacity as the Minister of External Affairs of the Government of India he dealt with the issue of bringing the alleged ashes of Netaji kept in the Renkoji Temple in Japan as at that time the stand of the Government of India was that the ashes were of Netaji. When asked what was the basis of such conviction of the Government of India, he stated that the basis was the earlier two reports of Shah Nawaz Committee and Khosla Commission. He reiterated his above statement by admitting that except the two earlier reports of inquiry he had no document in his possession to prove that the ashes were of Netaji.

4.5.5 CW 66 was examined as a review by him of a book titled 'The Sign of the Tiger : Subhas Chandra Bose and His Indian Legion in Germany, 1941 - 45' authored by Rudolf Hartog (Exhibit 89) was published in the Indian magazine 'Frontline'. In that review he mentioned that Subhas Chandra died on August 18, 1945 in a plane crash in Taiwan. He was, therefore, asked whether the above statement regarding Netaji's death was based on any document / record or on his belief / opinion. To that his answer was :

'The above conclusion is based on certain books I read about Netaji and the findings of the earlier Committee of Inquiry and the Commission constituted to inquire about the death of Netaji and on no other document or material.'

4.5.6 CW 84 in his testimony stated that he had examined the injuries of Netaji when he was brought to the Army Hospital after the plane accident and at that time he had been told that Netaji had sustained those injuries in the accident.

4.5.7 The last witness on this point, viz. CW 127 stated that his claim that Netaji Subhas Chandra Bose was dead was based solely on his belief and what he had heard from his father.

4.5.8 From the foregoing it is manifest that none of the witnesses had any personal knowledge about the death of Netaji in the plane crash nor did they produce any contemporary document in support thereof. Indeed, their assertion to that effect is based either on hearsay, or belief, or result of inquiries including those of Shah Nawaz Committee and Khosla Commission. That necessarily means that their statements cannot be treated as admissible evidence – much less can be relied upon – to hold that Netaji died in the plane crash.

4.5.9 Before parting with this discussion on the evidence adduced before this Commission regarding Netaji's death in the plane crash, it needs to be mentioned that on March 04, 2005 it (the Commission) received a letter dated March 03, 2005 from a Joint Secretary of Ministry of External Affairs, Government of India forwarding therewith relevant extracts from a book titled "CRICKET – A BRIDGE OF PEACE" written by Pakistan Cricket Board Chief Shaharyar Khan, which contain a statement made by Habibur Rahman to him (Mr. Khan) about Netaji's death in the plane crash in August, 1945. Since Mr Khan has not examined himself as a witness before this Commission the statement allegedly made by Habibur Rahman to him, being hearsay, cannot be treated as evidence. Copies of the letter of the Joint Secretary and the extracts are annexed herewith and marked Annexure-D (collectively).



4.6 On the conclusion as above the evidence adduced before the Committee and the earlier Commission in support of Netaji's death in the plane crash has to be looked into from its proper perspective. Since the deponents before this Commission and their learned Counsel have commented upon the stories of the plane crash and of the death of Netaji thereby independent of each other, it will be proper to first detail the evidence in respect of the former. The witnesses, who were examined before the Committee in support of the plane crash, are Colonel Habibur Rahman (SW 4), ex-Captain Keikichi Arai (SW 34), ex-Lt. Col. Shiro Nonogaki (SW 37), ex-Major Taro Kono (SW 41) and ex-Major Takahashi Ihaho (SW 43), all of whom claimed that they were the co-passengers of Netaji and survived the plane crash. Besides, four others, viz., ex-Soldier Grade I Sato Kazo (SW 40), ex-Captain Makato Nakamura @ Makato Yamamoto (SW 51), ex-Lt. Col. Shibuya Masanari (SW 50) and ex-Major Kenichi Sakai (SW 53) testified in support of the plane crash.

4.6.1 Of the above witnesses SWs 37, 41, 43, 50 and 53 also testified before the earlier Commission as Witness Nos. KWs 53, 63, 65, 70 and 67 respectively. The other witnesses, who were examined in support of the story of the plane crash before the earlier Commission, were ex-staff officer Tadashi Ando (KW 46), ex-Lt. Col. Tadao Sakai (KW 47) and Mr. Lai Min Yee (KW 203).

4.6.2 From a careful analysis of the evidence of the above witnesses the following facts emerge :

- (a) On August 17, 1945 Netaji along with some of his colleagues including Habibur Rahman and some Japanese officers reached Saigon at or about 11.00 a.m. by two bomber planes;

- (b) The two bomber planes, in which Netaji and his party had come, were to go back and fresh arrangements were to be made for the next stage of the journey. Netaji was told that one seat could be offered only to him in a Japanese bomber which had come from Manila and was bound for Dairen in Manchuria as a number of Japanese army officers who had been posted to Manchuria had got to be accommodated first;
- (c) Netaji was, however, anxious to ensure that all of his colleagues, who had come with him, were accommodated in the same plane but the authorities concerned expressed their inability to accede to the request of Netaji. Ultimately, one more seat was placed at his disposal. After discussion with his colleagues Netaji decided to take Habibur Rahman with him;
- (d) The Japanese bomber left Saigon at or about 5.00 p.m. with Netaji, Habibur Rahman and the Japanese officers referred to above. Besides them, were the crew including Pilot-in-Charge Takizawa, second Pilot Aoyagi and others. Gen. Sidhei was also in the plane. The plane arrived at Tourane at 7.45 p.m. and the party halted there for the night;
- (e) In the following morning (August 18, 1945) the bomber left Tourane with the same party and arrived at Taipei in Formosa (now Taiwan) at 2.00 p.m.;
- (f) After a brief halt there the plane took off at 2.35 p.m. but a short while thereafter one of the engines flew out whereupon the plane nosedived near the border of the Taihoku aerodrome and caught fire. The Pilot-in-



Charge and Gen. Sidhei died at the spot, while the rest of the crew and the passengers could come out. Of them, Aoyagi and Netaji sustained severe burns and the others, minor injuries; and

- (g) The injured persons were immediately carried to the nearest Army Hospital for treatment.

4.6.3 In course of their argument the deponents and/or their learned Counsel canvassed various grounds to persuade the Commission to disbelieve the evidence of the above witnesses on the story of the plane crash. Succinctly stated those grounds are:-

- i) The evidence of the witnesses bristles with material discrepancies and contradictions both inter se and between the statements made before the Committee, the earlier Commission and other inquiring authorities of foreign Governments. These discrepancies and contradictions prove that through their (the witnesses') ocular versions they were making out a story which had no basis whatsoever. In support of their contention they drew the attention of the Commission to various contradictions and discrepancies in their (witnesses') evidence.
- ii) Their evidence relating to the plane crash is so improbable that no reasonable person can act upon the same, far less draw a conclusive inference therefrom. In elaborating this contention it was submitted that if

the bomber plane had no seats and for that matter no seat belts and all the passengers were squatting on the floor and if, as testified by SW 4, the plane had nosedived from a "fairly high altitude, possibly over 12-14000 feet" all the passengers and luggage inside the plane would be hurled and then huddled together near the cockpit and in that event even half of the passengers could not have survived or come out of the plane either unhurt or with some minor injuries as claimed by them. For the selfsame reason the story given out by some of the witnesses that as Netaji was seated adjacent to the petrol tank, gasoline flashed all over his body resulting in his sustaining third degree burns cannot be believed for the simple reason that Netaji could not be in his original position on the floor of the plane following the nosedive.

- iii) Not a scrap of paper - not to speak of any contemporary official document - was forthcoming to corroborate the oral version of the plane crash even though it was expected that in the official course of business there would be record maintained by the authorities concerned to prove the factum of the crash. This aspect of the matter assumes greater importance having regard to the fact that two of the occupants of the plane, who died in the plane crash, were Netaji, the Head of the Provisional Government of Free India which was recognised by the Japanese Government, and Shidei, a General of the Japanese army.
- iv) The fact that the Government of Taiwan and the Taipei City Government admitted before the Chairman of the Commission that they had in



response to the queries made by Shri Anuj Dhar, a journalist working for the on-line version of the English daily newspaper Hindustan Times, replied that they had no document in proof of the fact that there was any plane accident at the material time clearly belied the testimony of the witnesses. The copies of the e-mail and their reply thereto referred to by the learned Counsel are annexed herewith (Annexure-D/1 (collectively)).

- v) Shri Tarakeswar Pal, the learned Senior Counsel appearing for the Government of India, fairly submitted that there were glaring discrepancies in the evidence adduced regarding the accident as also the date and time of death, news of death, death certificate and cremation of Netaji.

4.6.4 Though, prima facie, it cannot be said that the above submissions are devoid of any substance, it is felt that for the present no definite finding regarding the issue of the plane crash need be recorded, and it will be appropriate, considering the language in which the relevant terms of reference have been couched, to proceed on the assumed premises that there was a plane crash as testified to by the witnesses and find out whether Netaji met with his death in the Army Hospital at Taipei and was thereafter cremated in the crematorium of the city as alleged.

4.6.5 The sequence of events relating to Netaji's treatment in the hospital, his death and cremation may now be stated. According to Dr. Yoshimi, who was examined by the Committee (SW 48), the earlier Commission (KW 72) and before this Commission (CW 84), he was acting as the Chief of the Nanmon Military Hospital, Taihoku where Netaji and other injured were brought after the plane crash for treatment. Dr. Yoshimi stated that on August 18, 1945 at or about 2.00 p.m. when he was on duty at the hospital he received a telephonic message from the airfield about the air crash involving a number of persons who were to be sent to his hospital for treatment. On receipt of that information he made preparations for receiving the patients. Thereafter, three motor vehicles carrying the injured persons arrived at the hospital. Dr. Yoshimi was told that one of the injured persons was Chandra Bose (as Netaji was so called by the Japanese). Dr. Yoshimi examined Chandra Bose and found that he had suffered severe burns - burns of the third degree - and had little chance of survival. As the condition of Chandra Bose was the most serious of all, he was treated first and thereafter the other injured persons were attended. Netaji remained conscious for 7 / 8 hours. At 7.00 / 7.30 p.m. his condition deteriorated and shortly after 8.00 p.m. he breathed his last. Dr. Yoshimi informed the Headquarters of the Formosan Army of Netaji's death. The military personnel arrived at the hospital and under the instruction of the Commander-in-Chief, Dr. Yoshimi injected formalin to prevent decomposition of the dead body. On the night of Netaji's death Dr. Yoshimi prepared and signed a death certificate, writing his name in Japanese (Kata Kana) as "Chandra Bose" and giving the cause of death as "burns of the third degree".



The other two doctors, viz., Dr. T. Tsuruta (SW 39) and Dr. Yoshio Ishii (KW 69), of that hospital also stated that in spite of their best efforts and treatment Netaji met with his death that very night.

Besides the above doctors, the witnesses who spoke about Netaji's treatment and/or death in the hospital are Habibur Rahman (SW 4), Capt. K. Arai (SW 34), Tadao Sakai (KW 47), Koji Takamiya (KW 52), S. Nonogaki (SW 37, KW 53), Taro Kono (SW 41, KW 63), Takahashi Ihaho (SW 43, KW 65), Shibuya Masanari (SW 50, KW 70), Makato Nakamura @ Makato Yamamoto (SW 51), K. Sakai (SW 53, KW 67), Kazuo Mithui (SW 54), Interpreter Nakamura (SW 55) and S. Nagatomo (SW 60). While some of them claimed that they were the co-passengers of Netaji and were injured in the plane crash, some others claimed to have seen Netaji lying dead in the hospital and attended cremation of his deadbody, too.

4.6.6 As regards the cremation of Netaji's deadbody the story goes like this. After Netaji's death on August 18, 1945 the Formosan Army Headquarters received a telegram from the Imperial General Headquarters that the body should be flown to Tokyo by plane. Accordingly, Major Nagatomo (SW 60) instructed Dr. Yoshimi to inject formalin to preserve the deadbody. On the same date the body was put in a coffin, but instead of sending it to Tokyo, it was decided to cremate it at Taihoku and according to Col. Habibur Rahman, he was told on August 20 that the body could not be transported by plane, as the coffin was too big to be carried on a plane available with the Japanese at that place. As to the date on which the body was cremated, there are a lot of contradictions in the evidence, particularly, in that of Col. Habibur Rahman, to which

reference would be made at the appropriate stage. He deposed before the Shah Nawaz Committee that on August 20, the coffin was placed on a truck with twelve (12) soldiers and ahead of it Mr Nagatomo (SW 60) went in a car along with him (Col. Habibur Rahman) and Mr. Nakamura (SW 55). The coffin was taken to Taihoku City Government Crematorium for cremation and the persons present at the cremation were, besides the above three, a Buddhist priest and a crematorium attendant. In giving a detailed account of the cremation Nakamura (SW 55) stated as under:

"On arrival at the crematorium, the soldiers took off the coffin and carried it to the furnace. The crematorium was a large sized hall with furnace in the middle. The hall, as far as I remember, was approximately 16 ft. by 16 ft. .... From the entrance of the hall, the soldiers carried the coffin on their shoulders inside and placed it in the sliding tray in the furnace and after closing the door of the furnace, they came out and told us that they had placed the coffin in position in the furnace. The soldiers went out, and we, who were waiting outside, went inside the hall. Col. Rehman was in the front. I was next to him. The other gentlemen, totalling about 5, followed us. We went and stood in front of the furnace. .... All of us stayed there and saluted. After paying our respects, we went to the back side of the furnace where we found the priest standing with burning incense sticks (aggarbattis) in his hand. He wanted to hand over a stick to Col. Rehman but as he could not hold it, I took the stick and placed it in Col. Rehman's hands. Col. Rehman held it between the edge of his palms since he could not hold it in his fingers, and placed it in the hole which was



(95) (87) (96)

located at the rear of the furnace. I took the next incense stick and put it down in the same hole and everybody else followed likewise. .... As we came out of the entrance of crematorium, the caretaker told us to come there the following day, at about noon time"

The party came away after locking the door of the furnace. Both Col. Habibur Rahman and Major Nagatomo claimed to have kept the key.

4.6.7 Next day, they again went to the crematorium to collect the ashes; and regarding the collection of ashes Major Nagatomo (SW 60) said :

"The next morning at about 8 a.m. I went to the hospital, to take the Indian Adjutant with me. I went to the hospital in a car and as far I remember, the Interpreter was also with us on the next day. On arrival at the crematorium, I opened the lock of furnace No.1 with the key that was with me and pulled out the sliding plate. From the Headquarters I had taken with me a small wooden box about 8" cube. When we pulled out the plate on which the coffin had been put, we found that the whole skeleton had still retained its shape but it was completely burnt. According to the Buddhist custom, I first picked a bone from the throat with two chopsticks and placed it in the box. Then I picked a bone from every portion of his body and placed it in the box. The Indian Adjutant did the same after me. I do not remember about the Interpreter, whether he picked up the bone or not. In this way, the whole of the box was filled up. The lid of the box containing the bones was nailed but I am not quite sure whether it was nailed here or in the temple. After closing the box, it was wrapped up

in a white cloth . After wrapping the box in a white cloth, it was put round the neck of the Indian Adjutant and we went by car to the Nishi (West) Honganji temple. That day a special ceremony was held at the temple."

4.6.8 Apart from challenging the evidence of the above witnesses on the grounds of contradictions relating to the date and time of death and of cremation and identity of the dead body the deponents and / or their learned Counsel have canvassed the following grounds:-

i) No hospital record regarding the nature of injuries sustained by Netaji, the nature of treatment given to him and his subsequent death was forthcoming nor any history sheet of his ailment or bed head ticket could be found. It can be legitimately inferred that after his death the doctor attending him must have drawn up and signed a death certificate giving particulars of the deceased, the date and time of his death as also the cause thereof. There would also be a certificate to prove that the dead body was duly cremated, but no document in proof of these facts is available;

ii) No photograph of Netaji to provide evidence of identification of the dead body was taken either at the hospital or at the crematorium; and



- iii) Though Netaji was the Head of an independent State which was recognised by nine independent countries including Japan, no military honours befitting the Head of a State appeared to have been given to the deceased at the time of funeral.

4.6.9 If the contradictions appearing in the evidence of the above witnesses to which attention has been drawn are left out of consideration for the time being and their evidence is accepted on its face value still, it must be said, definite findings about Netaji's death and his cremation can be arrived at if and when the evidence passes the two basic litmus tests of appreciation of evidence, namely, probability and the aphoristic saying "Men may lie but circumstances do not"

4.6.10 Read in that context, the best corroborative evidence which can unmistakably prove the factum of Netaji's death and cremation as deposed by the eye witnesses will be the contemporaneous official records relating thereto. Conversely, if there is no such record the Commission would not be justified in drawing a definite conclusion on the facts in issue solely relying on the ipse dixit of the eye witnesses. Therefore, keeping in view the above basic tests a thorough probe for those contemporary official documentary records has got to be undertaken now.

4.6.11 From the records made available to this Commission it is seen that after August 23, 1945, when the news of Netaji's death was broadcast, and prior to the appointment of the Shah Nawaz Committee by the Government of India on April 5, 1956 quite a number of inquiries were held at the behest of the British and the American Intelligence authorities to ascertain the truth. Reports of those inquiries indicate that they based

their findings relying solely upon the oral testimony of some witnesses without caring to search for the relevant records of Taihoku Airport, the Army Hospital, Taipei Municipal Bureau of Health and Hygiene ('Bureau' for short) and Taipei City Crematorium to test the veracity of their assertion and, in case no such record was found, to incorporate that fact in their respective reports. However, interestingly enough, an inquiry towards that end was undertaken for the first time by Shri Harin Shah, the editor of "Indian Worker" which was the official journal of Indian National Trade Union Congress (INTUC). Towards the end of August, 1946 he paid a visit to Taipei and made an inquiry into the story of the air crash and of Netaji's death. Apart from writing a book titled "Gallant end of Netaji" wherein he recorded his findings of the inquiry, he testified as a witness (SW 9) before Shah Nawaz Committee.

4.6.12 It appears from the evidence given by Shri Harin Shah (SW 9) before the Committee that in the course of his inquiry into Netaji's reported death at Taihoku, he called on the Director of the Bureau at his (the Director's) office in Taipei and asked for records with regard to the death and cremation of Netaji, whereupon the Director consulted his subordinates and sent for two clerks - both Formosan - who had been on duty at the material point of time and asked them to produce the relevant documents. After search those two clerks produced from the office files the following documents:

- i) the doctor's report on the death of Netaji ;
- ii) the police officer's report; and
- iii) the certificate issued by the Bureau permitting cremation.

The aforesaid documents, it next appears from the evidence of SW 9, being all in



Japanese, were translated into English. The doctor's report reads as follows:

From the Army Hospital To The Bureau of Health and Hygiene	
Date of the Report : 21 <sup>st</sup> August, 1945.	
Certification of the Death:	
Name of the person :	Okara Ichiro (meaning big warehouses of food and Ichiro means eldest son)
Sex :	Male
Birth :	Born in the Meiti 22 <sup>nd</sup> year April 9.
Occupation :	He was Taiwan Military Government Army's obedient officer.
Reason of death :	By sickness
Nature of sickness :	Heart-failure
Time of sickness:	17 <sup>th</sup> August, 1945
Time of death :	19 <sup>th</sup> August 4 p.m
Place of death :	Army Hospital
The writer's certificate ;	
Dated: 21 <sup>st</sup> August	
The name of the doctor and the seal	Chhuluta Toyoji Chentze Siskwan (Japanese University)

Shri Shah next stated that the police report was more or less a confirmatory paper on the line of the doctor's report. As regards the cremation permit as reproduced in his testimony it tallies with the contents of the above doctor's report with some additional entries indicating, inter alia, the dates of application for permission to cremate and of cremation. It further appears from his evidence that he enquired of the Formosan clerks as to why false particulars had been furnished in the certificate with regard to the identity and other details of Netaji and that the latter replied that they had no precise knowledge of the matter, but the Japanese officer accompanying the dead body, under whose

instruction they acted, told them that for State reasons, the particulars of the person had to be kept confidential.

4.6.13 In his book titled "Gallant end of Netaji" [Ext. 295] Shri Shah reproduced copies of the doctor's report and the certificate issued by the Bureau permitting cremation of a dead body. He, however, wrote in his book and also testified before the Committee that even though the particulars given in those documents related to Ichura Okara or Okara Ichiro, those documents in fact related to Netaji's death and cremation. He further stated that fictitious name was required to be given to keep Netaji's death a complete secret as decided by the Japanese army authorities.

4.6.14 Even a cursory glance of the entries in those documents makes it abundantly clear that they could not - and do not - by any stretch of imagination relate to Netaji. In the death certificate referred to above, the date of birth, the first date of illness, the time and date of death, the cause of death, etc. were required to be furnished. In the permit issued for cremation, besides the above particulars, the date of filing the application for obtaining the same and the name and detailed particulars of the person applying for permit were also required to be furnished. That apart, while issuing the permit the date when cremation was to take place was also recorded therein by the Bureau. None of the particulars as furnished in the death certificate and in the permit fit in with those of Netaji as testified by the witnesses. Copies of the English translation of the death certificate and permit as reproduced in the book of Shri Harin Shah are annexed herewith {Annexure-D/2 (collectively)}.

4.6.15 The next pointed inquiry for the relevant documents was undertaken by the Government of Formosa at the initiative of the Government of India in the year 1956.



Following the appointment of Shah Nawaz Committee (on April 5, 1956) and its plan to visit Formosa (now Taiwan) the Government of India had asked the High Commissioner for United Kingdom (U.K.) in India whether Her Majesty's Consul in Tamsui (Formosa) could:

- a) get a copy of cremation certificate and
- b) obtain from some or all of those witnesses (detailed by the Government of India) signed statements or persuade them to meet the Committee in Hongkong for which the Government of India was prepared to pay travel and accommodation expenses.

In response to that request the U.K. High Commissioner in India sent on May 3, 1956 an inward telegram to the Commonwealth Relations Office with a request to persuade Her Majesty's Consul in Taiwan to give the necessary assistance. A copy of the said telegram is annexed herewith (Annexure-D/3).

Following some correspondence on that issue (which are not relevant for the present purposes) Her Majesty's Consul in Tamsui (Formosa) sent a telegram to the British Foreign Office on May 22, 1956 as also to New Delhi to say that the witnesses could not proceed to Hongkong but if their detailed particulars were given they would try their best to trace those persons and obtain their signed statements. On receipt of that telegram the Commonwealth Relations Office asked the U.K. High Commissioner in India to communicate that information to the Indian authority. This was followed by another telegram dated June 6, 1956 from the U.K. High Commissioner in India to Her Majesty's Consul in Tamsui naming the witnesses they wanted to examine and the documents they wanted to lay hands on. A copy of the said telegram is annexed herewith

(Annexure-D/4). In response thereto an inquiry was held by the Department of Health of the Formosan Government and a report was submitted along with a copy of an extract from the cremation register kept by the Welfare Section of the Taipei Municipal Government. A copy of the said report dated June 27, 1956 along with its forwarding letter and enclosure (including the extract of the cremation register) is annexed herewith {Annexure-D/5 (collectively)}. It appears that a copy of the said report duly authenticated by Her Majesty's Consul was handed over to the Ministry of External Affairs, Government of India by the High Commissioner for U.K. in India on August 10, 1956. A copy of the said letter is annexed herewith (Annexure-D/6). Incidentally, it may be mentioned that the record of the above inquiry was collected by this Commission from the U.K. National Archives on its own initiative and was not received from the Government of India.

4.6.16 It also appears that while negotiating with the British Government for obtaining the above record the Government of India had also asked the Government of Japan to obtain the selfsame documents, viz., Doctor's report and cremation permit regarding Netaji's death through its Embassy in Tokyo and pursuant thereto the Ministry of Foreign Affairs of the Government of Japan forwarded a copy of an entry under serial No. 2641 of the cremation register maintained by the Bureau in the name of one Ichiro Okura with a forwarding letter addressed to the First Secretary, Embassy of India by the Ministry of Foreign Affairs, Government of Japan on July 24, 1956. A copy of the entry in the cremation register (which has been described as "Cremation Permit") along with a copy of the forwarding letter is annexed herewith {Annexure-D/7 (collectively)}.



4.6.17 It is pertinent to point out here that a bare perusal of the above three sets of documents received from three different sources unerringly demonstrates that the particulars furnished therein tally with one another.

4.6.18 The search for the relevant documents relating to Netaji's death and cremation was next undertaken by Prof Samar Guha who had had all along been disputing the death of Netaji in the plane crash and had actively participated in the inquiry conducted by the Khosla Commission. When the said Commission visited Taipei, Prof. Guha made an earnest endeavour to find out hospital and crematorium records regarding Netaji's death and cremation but all that he could find and produce before that Commission were the photostat copies of the same two documents which had been produced before the Shah Nawaz Committee by Shri Harin Shah (vide paragraph 4.93 of the Khosla Commission Report). In paragraph 8.9 of that report Justice Khosla observed, inter alia, as under:-

"Prof. Guha, however, succeeded in obtaining copies of two documents, one of which purports to be the death certificate of one Ta Ts'ang Yi Lang (Okura Ichiro), male, born on April 9, 1900, who was an Agent of the Land Forces, Taiwan, Army Command, and who died at Taipei at 4 p.m. on August 19, 1945, of a heart-attack. This certificate was issued by Ho T'en Teng Tai Chih (Tsuru Ta Nobori Dai Shi), who was an Officer on Probation, Army Hospital, Army Health Department, Taipei. The other document was a permit to cremate the dead body of the same Ta Ts'ang Yi Lang (Okura Ichiro), who was to be cremated at 6 p.m. on August

22,1945, at Taipei crematorium, the name of the person to whom the licence was issued could not be deciphered from the photostat copy"

4.6.19 From the above resume of facts relating to the steps taken to find out the relevant contemporaneous official documents in respect of Netaji's death and cremation in Taipei and the outcome thereof it is manifest that the only documents by which the oral evidence of the witnesses adduced in that respect was sought to be corroborated were those relating to the death and cremation of one Ichiro Okura (or Okura Ichiro) assuming that they related to Netaji. Now that it stands established that none of the contents of those documents, viz. the death certificate, the permit seeking cremation of the dead body of the person concerned and the relevant Entry No.2641 in the cremation register did relate to Netaji, this Commission has to search for the documents relating to the death and cremation of Netaji to answer the relevant terms of reference - the subject matter of the present discussion - for the simple reason that a mere discovery of documents relating to one Ichiro Okura does not and cannot have any bearing whatsoever on Netaji's death or cremation and cannot relieve any inquiring authority as also this Commission of its responsibility of finding the truth. Indeed, recording a firm finding on this issue without looking for and into those documents and treating the oral evidence of the eye witnesses about Netaji's death and cremation as axiomatically true would be non sequitur and over-simplification of and a superficial approach to this complex issue. To put it differently, the stage is now set for the Commission to search for the documents relating to Netaji's death and cremation.

4.6.20 According to the regulations then prevailing in Taipei for cremation of a dead body a doctor's report of his death had to be first obtained. Armed therewith an



application in the prescribed form for a permit for cremation was required to be filed by a family member of the deceased with the Bureau. In that form detailed particulars regarding the date of birth of the patient, nature of illness causing the death, date and time of death, etc. were required to be furnished to obtain permission to cremate the dead body. The body was also to be brought before the Bureau to enable the authorities there to verify the particulars furnished in the application. After such verification a permit was issued for cremation of the dead body. With the permit so granted the body was to be taken to the crematorium and after cremation an entry was to be made in the cremation register against the relevant serial number of the permit. The above procedural requirements have been mentioned in the book of Shri Harin Shah titled "Gallant end of Netaji" (Exhibit 295, pages 86 to 89) on the basis of the statements made before him by two Formosan employees of the Bureau who were on duty at the material time. According to those two witnesses, production of the doctor's report and the dead body before the Bureau was an absolute necessity for grant of the cremation permit. That the above procedural formalities were essentially required to be complied with stands corroborated by the report dated July 4, 1956 (Exhibit 229) submitted by the Taiwanese Provincial Government wherefrom it appears that one of the two employees of the Bureau who had been examined by Shri Harin Shah to ascertain the procedural formalities was also examined by the inquiring officer of the Department of Health, Taiwanese Provincial Government referred to earlier (already annexed as Annexure-E/5). From the forwarding letter of even date of that report (ibid) it is seen that Chen Chih - Chih ( in the Formosan dialect Tan Ti -Ti), the person who was in charge of cremation at the material time in the Bureau, stated, inter alia, as follows:

“(.....that regulations in force at the time required the family of the deceased to complete an application form, which after being duly endorsed by the police sub-station concerned, was then deposited with the Municipal Government. During the war, however, in the case of military personnel without family members here, permission for cremation was granted on the strength of a certificate from a military hospital.”

4.6.21 That the two doctors concerned, namely Dr. Yoshimi and Dr. Tsuruta were fully aware of the above regulations will be evident from their statements made before the Committee and the two Commissions. Before the Committee the former (SW 48) stated as under:

“On the 18<sup>th</sup> August, I had issued a medical certificate of death in respect of the deceased person writing his name in Japanese (Kata Kana) as ‘Chandra Bose’ and giving the cause of death as ‘burns of the third degree’.”

4.6.22 Before the earlier Commission Dr. Yoshimi was examined as KW 72. Though in his deposition he did not specify the date on which he gave the certificate, he averred that he prepared a death certificate and handed over the same to a Staff Officer of the Army Headquarters. In cross-examination when asked as to whether the name he wrote in the certificate was Chandra Bose or some other words, the answer was that he wrote his name as Chandra Bose and in giving the reason of his death, he stated ‘general burning all over the body, degree three’. His cross-examination regarding issuance of the death certificate reads as under:

“Shri Chakraborty : Do you remember that you wrote the name of Chandra



Bose in the certificate or you wrote some other words ?

Dr. Yoshimi: I wrote his name Chandra Bose in Katakana.

Shri Chakravarty: Do you know the full name of Chandra Bose ?

Dr. Yoshimi: I wrote only Chandra Bose.

Shri Chakravarty: But I say his name is Subhas Chandra Bose and not Chandra Bose.

Dr. Yoshimi: I was told only Chandra Bose. The staff officer did not tell me Subhas Chandra Bose.

Shri Chakravarty: What did you write regarding the reason of death ?

Dr. Yoshimi: General burning all over the body, degree three.

Shri Chakravarty: Nothing more was written on the certificate ?

Dr. Yoshimi: Nothing more was written.

Shri Chakravarty: What was the age of Chandra Bose mentioned in the certificate?

Dr. Yoshimi: I do not remember whether I wrote his age or not.

Shri Chakravarty: You gave this certificate as you were told by the Staff Officer ?

Dr. Yoshimi: I gave the name as I was told by the Staff Officer.

Shri Chakravarty: And granted the certificate as asked by the Staff Officer ?

Dr. Yoshimi: The Staff Officer asked for the certificate and so I gave it, as otherwise the cremation was not possible.

Shri Chakravarty: To whom the certificate was handed over ?

Dr. Yoshimi: I gave it to the Staff Officer.

Dr. Yoshimi was also examined by this Commission (C.W.84) and the relevant questions put to him and the answers given thereto by him read as under :-

"Question No. 31: Did you issue any death certificate in respect of any deceased under your signature ? If so, what were the names of the deceased and the cause of their death ?

Answer: Yes. I signed the death certificate. The cause of death mentioned by me was third degree burns. I issued the death certificate under my signature in the name of the deceased Chandra Bose.

Question No.32: Did you apply to any competent authority for any cremation permit in respect of any deceased ? If so, on what date and for whom ?

Answer: I applied to the Taiwan Military Authority for cremation permit for the deceased Chandra Bose and attached with the application the death certificate. I applied for the cremation permit on 18.08.1945".

4.6.23 While on this point, it need be mentioned that Dr. T.Tsuruta (SW 39) who claimed to have attended Netaji when he was hospitalized stated in his examination before the Committee that he did not issue any death certificate himself though he had examined Netaji and he further deposed that such certificates were issued generally by the Officer in Charge, meaning thereby Dr. Yoshimi who admittedly was the Officer in Charge of the Hospital.

4.6.24 If the aforesaid evidence of the above two doctors is to be believed then there cannot be any manner of doubt that Dr. Yoshimi did issue a death certificate in the



name of Chandra Bose (Netaji) on August 18, 1945 and make an application seeking a permit for his cremation on the selfsame day. When the aforesaid evidence of the above two doctors along with that of the aforementioned two employees of the Bureau is read in juxtaposition the following inference necessarily follows : if Netaji was to be and in fact cremated his body would have been taken to the Bureau and on the basis of the application filed by Dr. Yoshimi a permit for his cremation would have been issued and on his cremation there would have been entries in the cremation register with a specific serial number allotted and Dr. Yoshimi's name in the columns prescribed for writing out the name of the applicant seeking permit for cremation and his rank in the army. Surprisingly, however, in the Inquiry Report submitted by the Department of Health of the Formosan Government (Exhibit 229) it has been stated that in the register of cremation at the Municipal Health Centre there was as an entry in the name of Ichiro Okura who, as already noticed, was cremated on August 22, 1945 (copy of which forms part of that report) and that no other records exist (emphasis supplied). It is of course true that while inquiring they stated in the report that they tried to search out the records of the erstwhile Nanmon Military Hospital to see Bose's registration card and death certificate but could not trace out those records which had been kept before the Taiwan Government took over the hospital (in October, 1945) and in consequence thereof it was impossible to verify them or take copies. But absence of such records in the hospital did not impair their inquiry - or for that matter will not impair the inquiry by the present Commission - having regard to the fact that a death certificate prepared from the hospital records had to be furnished along with the application to obtain the permit for cremation. In other words, either the original or at least a copy of death

certificate must have been available with the Bureau. Such being the state of things obtaining on record, the absence of death certificate of Netaji filed before the Bureau, the application seeking permission to cremate his dead body, the permit granted for his cremation and an entry in the cremation register in proof of the cremation makes the evidence of the witnesses, who testified to Netaji's death and cremation, vulnerable and raises a strong, reasonable and bonafide doubt about the story of his death by air crash.

4.7 The just quoted observations receive unflinching support from the development that took place since the Chairman of the Commission requested the Government of Taiwan to send to this Commission certain records including all entries in the cremation register of the old crematorium of Taipei city during the period from August 18 to August 24, 1945. A copy of the letter dated February 01, 2005 on the subject is annexed herewith (Annexure-D/8). In deference to the said request the Ministry of Foreign Affairs of Taiwan sent copies of some of the documents asked for including those entries, which were received on March 28, 2005. Immediately on receipt thereof the Commission passed an order on March 29, 2005 directing its office to requisition the services of a competent Anglo-Japanese translator to carefully look into those documents relating to the cremation, as unlike the other documents sent, those were without any English translation, and to let the Commission know whether there was any entry in the cremation register during the period from August 18 to August 24, 1945 in the names of Netaji Subhas Chandra Bose or 'Chandra Bose' (as Netaji was so called by the Japanese), Pilot Takizawa, Co-pilot Aoyagi and Gen. Shidei who, according to the witnesses, were with Netaji in the same plane as co-passengers and died on the same day. A copy of the said order is annexed herewith (Annexure-D/9).



4.7.1 Pursuant to the said order the services of Shri Sandeep Kumar Sett, an Anglo-Japanese translator, referred to by the Japanese Consulate in Kolkata, were requisitioned to do the following :

- i) To look into the documents appearing in item No. (iii) of the memorandum dated January 31, 2005 (vide Annexure-D/1) as sent by the Government of Taiwan and confirm whether they contain entries of cremations during the period from 18<sup>th</sup> to 24<sup>th</sup> August, 1945;
- ii) If so, to let this Commission know whether names of Netaji Subhas Chandra Bose or 'Chandra Bose' (as Netaji was so called by the Japanese), Pilot Takizawa, Co-pilot Aoyagi and General Shidei appear in any of those entries;
- iii) To let the Commission know the name of the person to whom the entries at Serial No.2641 in the aforesaid documents relate and, if those entries relate to a person named Ichiro Okura, to translate the entire entries against the said serial number into English; and
- iv) To let the Commission know, if possible, the name of the doctor who issued the report as appearing at page 90 of Shri Harin Shah's book, 'Gallant end of Netaji'.

4.7.2 In compliance with the said requisition Shri Sett submitted his report on April 5, 2005 wherein he has stated, inter alia, that there is no entry in the name of Netaji Subhas Chandra Bose / 'Chandra Bose', Pilot Takizawa, Co-pilot Aoyagi and General Sidhei in the documents of cremation during the period from August 17 to August 27, 1945. Incidentally, it may be mentioned that the Commission had asked for entries in the

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cremation register from August 18 to August 24, 1945 only. A copy of the report along with its enclosures as submitted by Shri Sett is annexed herewith {Annexure-D/10 (collectively)}.

4.7.3 On receipt of the report the Commission passed an order on April 6, 2005 observing, inter alia, that the other documents received from Taiwanese Government in response to the request of the Chairman of the Commission were not relevant and that they might be kept on record. A copy of the order dated April 6, 2005 is annexed herewith (Annexure-D/11).

4.7.4 The above report, so far as it relates to the entries in the cremation register, clearly discloses that not only there is no entry of cremation of Netaji but also of his co-passengers who, being Japanese, would have, in all probability, been cremated had they died on August 18, 1945, by August 27, 1945. Absence of any entry relating to their cremation defeats the story of the death of Netaji and some of his co-passengers in the plane crash.

4.8 Discussion on this point will not, however, be complete unless the part played by Dr. Yoshida on this issue is commented upon. The absence of any record relating to Netaji's death and cremation (in respect of which he claimed to have played a pivotal role) clearly demonstrates that he was not telling the truth. This inference is reinforced by the mysterious role he played more than 40 years later, as would be evident from the following materials on record :



Dr. Yoshimi was cross-examined by Dr. Madhusudhan Pal, one of the deponents before this Commission, and in course thereof he put the following question to him :-

" Question 39 : Can you recall a person by the name of Toshikazu Shimoda of 5-19-6 Inamuragasaki Kamakura -- SHI Kanagawa - Ken 248 Japan ?"

and he replied that he had not met any such person. This question was put to him in the context of the fact that the above gentleman (Toshikazu Shimoda) had addressed a letter to Dr. Purabi Roy (C.W.10) on August 26, 1996 enclosing therewith a death certificate of Chandra Bose which he had received from Dr. Yoshimi on August 18, 1988. When Dr. Yoshimi's attention was drawn to the said certificate, he admitted that that was a photocopy. When asked under what circumstances he had issued that copy he said that he did not have any clear memory about that. Copies of that letter and of the certificate are annexed herewith {Annexure-D/12 (collectively)}. Dr. Yoshimi's failure to give any reason, much less a satisfactory one, for belated preparation of the copy, his statement before the Committee that he did not know what had happened to the hospital records after his departure therefrom on January 21, 1946 and the report of the inquiring officer of the Formosan Government to the effect that the hospital records were not available (as noticed earlier) clearly indicate that the above document cannot but be a manufactured one.

4.9 The above findings are sufficient to hold that the story of Netaji's death in the plane crash has not at all been proved and to answer the related question in the negative. But quite a number of the deponents and/or their counsel have further submitted that there is adequate evidence on record to disprove the above story of plane crash and – for that matter – to prove that Netaji was alive beyond August 18, 1945 – the date of his alleged accidental death. To substantiate this contention while some of them have asserted that Netaji did succeed in his mission to go to Russia pursuant to an excogitated plan, others have propounded three different stories in support of his death long thereafter. It will be appropriate to deal with and dispose of the former issue first and reserve consideration of the latter, as it relates to Netaji's death also, at a later stage. However, before delving into and deliberating upon the evidence brought /available on record on this issue in the light of the arguments canvassed in support thereof it will be necessary to record the reasons that prompted the Commission to pay a visit to Russian Federation to search for and collect relevant evidence, if any.

4.10 The Commission received statements supported by affidavits and supplementary affidavits from different deponents asserting that there were relevant documents in several archives of Russian Federation relating to Netaji and that oral evidence would also be available there to prove that Netaji was living in the erstwhile Soviet Russia after August 18, 1945. The above assertion was reiterated by some of them and some others during their examination by the Commission. The pronounced role in this regard has been played by Dr. (Ms.) Purabi Roy (C.W. 10) who has claimed that she has had been visiting Russian Federation at regular intervals to do research work on Indo-Soviet relations for a pretty length of time and in that connection also about Netaji's presence.



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there. Indeed, apart from filing a detailed written statement, she filed two supplementary affidavits later on, incorporating therein the outcome of her research till then. Consequent thereupon, she had to be examined on four occasions to confront her with the statements / additional statements made in her affidavits and in course of her examination she produced a number of documents in support thereof. In course of her examination she gave out the names of some persons who had told her that there were documents in some archives of Russian Federation which would unmistakably prove Netaji's presence there. The names of the persons with whom she had interacted and a list of fifteen archives, where documents relating to Netaji, according to her, have been preserved, were furnished by her.

4.10.1 For the foregoing considerations the Commission decided to visit Russian Federation to hold an inquiry including examination of documents relating to Netaji which might be available in the archives of the said Federation and recording of evidence on Netaji's alleged presence there. Accordingly, the Commission entered into correspondence with Ministry of External Affairs (MEA), Government of India to enable it to visit the archives and also to examine witnesses as per the list furnished by Dr. (Ms.) Roy. MEA was also requested to approach those archives to give the Commission access to the relevant documents and to obtain the consent of the persons concerned to depose before it (the Commission).

4.10.2 In response thereto three of the archives sent some documents duly translated in English and six of them including Central Archives of FSB (formerly KGB) of Russia intimated that they had no documents concerning Subhas Chandra Bose. So far as the persons to be examined were concerned, some of them were reportedly dead and

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some others were not traceable. Needless to say, all these data were furnished to the Commission by MEA. Ultimately, the Government finalised a programme for the Commission's visit during the period from September 20 to September 30, 2005. In terms thereof the Commission went to Russian Federation, visited six archives and examined four witnesses and on return prepared a memorandum thereof (vide Annexure-C/2).

4.10.3 From the memorandum it can be seen that no record relating to Netaji was available in five of the six archives visited and only one file containing newspaper cuttings relating to Netaji was found in the other (Russian State Archive of Socio-Political History, Moscow) which was not relevant to the terms of reference of the Commission. While on this point, it need be stated that the documents received from three of the archives (mentioned earlier) also did not contain any relevant material.

4.10.4 Now that it has been found that the evidence of Dr. (Ms.) Roy, so far as it relates to availability of documents regarding Netaji's alleged presence in USSR at the material time in different archives of Russian Federation, is of no consequence, her testimony that some Russian scholars had told her about Netaji's presence there needs to be assessed. Of them, three could be examined in Moscow, namely, Mr. E.N.Komorov (C.W. 128), Mr. V.K.Touradjev (C.W. 129) and Prof. A.V. Raikov (C.W.130), all of whom admitted that they had a long association with Dr.(Ms.) Roy.

4.10.5 Each of the above three witnesses was confronted with the statements they, according to Dr. (Ms.) Roy, had made to her about Netaji and their answers were recorded (after translation in English). For proper appreciation the relevant questions put to and answers given by each of them are reproduced below:-



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**Mr. Komorov:**

Q.5: Dr. Roy has stated on oath before the Commission that you told her, "Let us take it, this way, he (Netaji) was here and died here (USSR)". Is it a fact? If so, do you possess any document/documents or any authenticated copy thereof in support of your contention?

Ans. You (Dr. Roy) remember that your (Dr. Roy's) letter was sent and I did reply saying that I have no positive information on disappearance. I never told to anybody, to Dr. Purabi Roy or anybody that he was here. I did not make such a statement. On the contrary, I said that I did not know positively.

**Mr. Touradjev:**

Q.9 Dr. Roy has stated on oath that you suggested that in order to reveal the truth regarding the alleged disappearance of Netaji Subhas Chandra Bose on 18<sup>th</sup> August, 1945, Military archives at Paddolsk and archives in Omsk should be consulted. Is it a fact?

77 - Ans. No

Q.9(a) Did you go through the documents in the Military archives at Paddolsk and archives in Omsk?

Ans. No

**Prof. Raikov**

Q.9 Dr. Roy has stated on oath before the Commission that you right from the beginning was appointed by the Soviet Government to deal with matter concerning Subhas Chandra Bose. Is it a fact?

Ans. No

Q.10 Dr. Roy has also stated that you had access to all the classified documents lying in the archives of Federal Security Bureau and in the archives of Military Armed Forces of Russian Federation. Is it a fact?

Ans. It is absolutely absurd.

Q.11 Dr. Roy also has stated on oath that you suggested her that the materials would be available in the archives of Omsk ? Did you go through the archival documents of Omsk ?

Ans. It is not correct. It is absurd.

4.10.6 Since all the above three witnesses have, in no uncertain terms, disavowed the statements about Netaji as attributed to them by Dr (Ms.) Roy, no notice can be taken of the evidence of Dr (Ms.) Roy in this respect. Relying upon her testimony steps were also taken to examine two other witnesses, namely, Mr. Y. Kuznets and Mr. Kolesnikov to whom also similar statements regarding Netaji were attributed by Dr. Roy. The former expressed his inability to meet the Commission and the latter could not be examined as he was working in the Russian Embassy in Ankara (Turkey).

4.10.7 After examination of the above three witnesses Dr. (Ms.) Roy of her own presented Mr. B V. Sokolov, a historian, for examination by the Commission and accordingly he was examined as C.W. 131. The relevant questions put to and answers given by him read as under:-

Q. 4. In the course of your research on World War II, did you come across the name of Indian National Army and Subhas Chandra Bose ?

Ans. Only some quotations in the published works in Russian but never met(sic) his name in the Archives. I know that surely he was in Moscow in 1940.

Q. 5 What is the basis of your thinking ?

Ans. I am sure that People's Commissariat of Internal Affairs, People's Commissariat of State Security, they should inform the Government about the activities of Mr. Bose as



Head of Indian National Army. If really Mr. Bose was transported to USSR in 1945 then it should be mentioned in some FSB Archives. Such transportation should be kind of big special operation and the preparation for such kind of operation should cover more than one month. I have no proof, really that he was in USSR in 1945 or later. But, there should be documents in the Archives of Special Services only if Mr. Bose really was in the Soviet Union in 1945 or later. I never worked in FSB Archives and could not prove or deny any fact.

4.10.8 Before parting with this discussion it may be mentioned that Dr. (Ms.) Roy had produced quite a number of Russian documents during her testimony and, according to her, those were relevant for the purpose of the inquiry. The Commission got them translated into English only to find, on scrutiny, that none of those documents were relevant to any of the terms of reference of this Commission.

4.10.9 In fine, it must be said that the assertion of Dr. (Ms.) Purabi Roy regarding Netaji's presence in Russia after August 18, 1945 cannot be acted upon.

4.10.10 In contending that Netaji had been to Russia Ms. Chandreyee Alam, the learned Counsel, has first relied upon the evidence of Dr. (Ms.) Purabi Roy but in view of the preceding discussion this contention falls through. Next, Ms. Alam and Shri Keshab Bhattacharjee, the learned Counsel, have drawn the attention of the Commission to the evidence of Shri Ardhendu Sekhar Sarkar (C.W. 5), Shri Jayanta Roy (C.W. 11) and Dr. Satya Narayan Sinha (K.W.2), all of whom claimed to have learnt from some Russians and other sources in Russia about Netaji's presence there. As none of the persons from whom they heard and learnt about Netaji's presence in Russia was / has been examined, the statements of the above witnesses in this regard cannot be treated as evidence, being hearsay.

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4.10.11 Apart from relying upon the evidence of the above witnesses Shri Bhattacharjee has drawn the attention of the Commission to some reports and notes in file No.273/TNA (Exhibit 300) in support of the above contention. In so doing he has drawn pointed attention to the following passages, besides others:-

"Mahatma Gandhi stated publicly at the beginning of January that he believed Bose was hiding and alive. He has not offered any satisfactory reason for the belief he possesses ascribing it to an inner voice. Same report declared that Congressmen believe that Gandhiji's inner voice is secret information which he has received.

There is however a secret report which says Nehru received a letter from Bose saying he was in Russia and that he wanted to escape to India. He would come via Chitral where one of Sarat Bose sons would meet him. The story is unlikely."

4.10.12 On a careful perusal of the contents of the above file this Commission is unable to treat any report / note contained therein as admissible in evidence for all of them are either based on information or are secret intelligence reports, opinions and views expressed by the makers thereof and newspaper clippings.

4.10.13 Lastly, Shri Bhattacharjee has referred to and relied upon the following passage from a letter dated July 22, 1946 (Exhibit 228) written by Khurshed Naroji, t granddaughter of Dadabhai Naroji, to Louis Fischer to contend that Netaji was Russia in July 1946,



".....At heart the Indian army is sympathetic with the Indian National Army. If Bose comes with the help of Russia neither Gandhiji nor the Congress will be able to reason with the country".

4.10.14 While the genuineness of the above letter may not be disputed, the above quoted observation cannot be pressed into service without the evidence of Khurshed Naroji and in absence of objective materials on which she relied to conclude that Netaji was alive then.

4.10.15 To disprove the story of Netaji's death in the air crash some of the deponents prayed before the Commission, by filing two separate applications, for its (the Commission's) visit to Saigon (Vietnam), as according to them, evidence would be available there to confirm their claim that Netaji was seen there after that accident. In support of their prayer they relied upon some papers / documents as mentioned in those applications. After careful perusal of the applications the Commission rejected the same for reasons as detailed in its order dated October 05, 2005. A copy of that order is annexed herewith and marked Annexure-D/13.

4.11 A common ground which has also been canvassed to contend that Netaji was alive after August 18, 1945 is based on certain passages from the TRANSFER OF POWER 1942-7 (Volume VI). In this connection attention of the Commission has been drawn first to a letter dated August 23, 1945 written by Sir F. Mudie ( Home Member in the Viceroy's Executive Council) to Sir E. Jenkins (Private Secretary to the Viceroy) (appearing at pages 137 - 140) giving alternative proposals for dealing with Subhash Chandra Bose, and relying thereupon it has been contended that if Netaji had, in fact, died on August 18, 1945 he would not have given such proposals.

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4.11.1 Attention has next been drawn to the minute of a meeting of India and Burma Committee of British Cabinet presided over by Prime Minister Attlee on October 25, 1945 (pages 402 - 406) the relevant part of which reads as under :-

**"Treatment of Indian Civilian Renegades"**

The Committee turned to a consideration of the principles which should govern the trial and punishment of Indian civilian offenders. The following were the principal points raised in discussion:-

(1) It was generally agreed that the only civilian renegade of importance was Subhas Chandra Bose

(2) .....

(3) .....

This minute, according to the Learned Counsel, also indicates that Netaji was alive till then for otherwise there would not have been any occasion to record the same.

4.11.2 So far as the letter of August 23, 1945 and its contents are concerned, it is known whether the British Government was aware of Netaji's death, having regard to the fact that the news of his death was first broadcast on that day itself. As regards



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minute of the Cabinet meeting dated October 25, 1945, no doubt it seems to suggest that Netaji was alive on that day, but an inference on the basis of the above minute can and may be drawn at the appropriate stage if sufficient reliable materials are found in support thereof.

4.12 As noticed earlier, the deliberation so far on the question whether Netaji died in the plane crash has proceeded and the negative answer thereto on the basis thereof has been arrived at on the assumed premises that there was such an accident. Since, however, a contention has been raised that the story of the plane crash was contrived pursuant to a well laid out plan, to which the Japanese military authority was also a party, to ensure Netaji's safe passage out of Japan and the reach of the Allied Powers a detailed probe on this aspect of the matter has got to be carried out now.

4.12.1 It is trite that a stratagem including the manner of its execution ingenuously and meticulously hatched in secret cannot, owing to its very nature, be proved by direct evidence unless one or the other member of the party thereto divulges the secret. It can, therefore, be proved by circumstantial evidence and the individual or detached acts or omissions of the planners including their dialogue inter se, written correspondence and contemporaneous documents prepared by them or at their instance including entries made therein relative to the main design. Though the above are some instances of the criteria to prove the making and execution of the plan, no general inflexible rule can be laid down and each case must, in some measure, be governed by its own peculiar features. To put it differently, proof of a secret plan as also the manner of its execution is largely inferential but the inference to be drawn must be a reasonable one supported by attending facts and circumstances.

4.12.2 In the backdrop of the above proposition the materials on record may be looked into to ascertain whether Netaji had any plan to escape, and, if so, whether it fructified. It cannot be gainsaid that Netaji could not have thought of taking a decision to escape – not to speak of translating that thought into action - without the active support and co-operation of the Japanese military authorities.

That Netaji's decision to go out of Japan and the reach of the Allied Forces in the wake of the surrender of the Japanese was pursuant to a plan formulated on the advice and with the active co-operation and support of the Japanese military authorities stands established by overwhelming evidence adduced before the Committee and the two Commissions and a detailed discussion on this issue will serve no purpose except increasing the volume of this report. Suffice it to say that on August 16, 1945 while in Bangkok Netaji had a meeting with General Isoda, the Head of the Hikari Kikan (KW 68). According to him, the main task of his unit of the Japanese Armed Forces was to liaise between the Japanese Government and a combined group of Indian Independence League (IIL), Indian National Army (INA) and the Provisional Government of Free India. His testimony relating to the meeting he had with Netaji on August 16, 1945 in Bangkok reads as under:-

“Commission: When Netaji came on 16<sup>th</sup> to Bangkok, he came by his personal plane ?

Shri Isoda: I think so.

Commission: At Bangkok, the future plans were decided between you and Netaji as to where Netaji should go ?

Shri Isoda: It was decided immediately in talks between myself



and Mr. Bose where Mr. Bose would go.

Commission: So, it was decided that Mr. Bose will be going to Russia via Manchuria and Dairen ?

Shri Isoda: Yes."

The other part of his evidence which is relevant for the present purpose is as under:-

"Shri Trikha: Now you were in great hurry to see that Netaji left early to a safe place to hide from the Allies ?

Shri Isoda: Yes I suggested to him strongly."

"Shri Trikha: And these plans of Netaji going from Bangkok to Russia were kept as a top secret ?

Shri Isoda: It was kept secret."

He further stated that on August 17, 1945 he along with Netaji and others left Bangkok for Saigon and that he had a further discussion with Netaji about the plan. In detailing the same he stated as under:-

"The purpose of his (Netaji's) flight was to go to the Soviet Union and with the aid of the Soviet Union he was to continue his independence movement. That was the aim of his mission. After reaching Dairen, if time allowed he had intended to go to Tokyo to express his gratitude for the Japanese help and also to collect some supplies from Tokyo. I thought no such time would be available to him going to Tokyo. The main purpose of Mr. Bose was to go to the Soviet Union and his desire to go to Tokyo was only secondary."

4.12.3 The above evidence of General Isoda gets ample support from the other colleagues of Netaji who were with him at the material time including Col. Pritam Singh

*Circumstantial  
evidence*

of INA (KW 155/CW 3), Shri E. Bhaskaran, his Confidential Secretary (KW 30/CW 1), Mr. Watanabe, his Interpreter (KW 54) and others. On this point the evidence of Mr. S.A. Ayer (SW 6/KW 29), Propaganda & Publicity Minister of INA before the Committee may be profitably referred to. He stated that in taking any important decision Netaji had an opportunity to consult the Head of Hikari Kikan, Lt. General Isoda, who acted as liaison between Netaji and Field Marshal Terauchi, Supreme Commander of South East Asia. The confidence that Netaji reposed in Hikari Kikan and the fact that he utilised their services will be evident from the letter he wrote to the Headquarters of Hikari Kikan on August 16, 1945 before his departure from Bangkok. A copy of that letter (Exhibit 177) is annexed herewith (Annexure-D/14).

4.12.4 It is thus seen that besides his colleagues, the Japanese army officers who were liaising with Netaji and his organisations were parties to his escape plan and the Japanese officers took all possible steps to ensure his safe escape by providing accommodation in a plane and other logistic support.

4.12.5 It has been contended by Shri Supriyo Bose, learned Counsel appearing for some of the deponents, that the story of Netaji's death in a plane crash on August 18, 1945 and of his cremation was concocted to ensure the success of Netaji's escape plan by hoodwinking the Allied Forces. Now that Netaji's plan to escape with the encouragement and active support of the Japanese army officers headed by General Isoda of Hikari Kikan stands conclusively proved the above contention of Shri Bose has got to be looked into. For proper appreciation thereof the entire story of the plane crash, death of Netaji in the hospital and his cremation, being interlinked, has to be considered as a whole and not in parts.



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4.12.6 It may be recalled that in assailing the story of plane crash it has been submitted on behalf of some of the deponents and their learned Counsel that considering the fact that the plane had no seats and seat belts and all the passengers were squatting on the floor the inevitable result immediately following the nosedive would have been rolling of all the passengers with luggage inside the plane down the floor to the cockpit. In that event, they argued, half of the passengers could not have survived or come out of the plane either unhurt or with some minor injuries as claimed by the survivors. This contention is well-reasoned more so if it is read in the context of the relevant evidence of Habibur Rahman (SW 4). From his evidence it is seen that not only he testified to the above fact but went on further to say that the plane nosedived from a fairly high altitude "possibly over 12-14000 feet". If this evidence of Habibur Rahman is to be believed then none of the 12/13 passengers – not to speak of the crew members – could have survived. Viewed in that context the explanation sought to be given by the surviving occupants of the ill-fated plane that as Netaji was sitting by the side of the petrol tank, gasoline flashed all over his body resulting in his sustaining third degree burns cannot also be believed, for Netaji could not have been in his original position on the floor immediately following the plane's nosediving.

4.12.7 Next comes the following version of Habibur Rahman (SW 4) regarding the injuries he sustained in the plane crash as given out by him before the Committee:

"As for myself, my both hands were very badly burnt. As I came through the fire, right side of my face was burnt and I noticed I had received a cut in the forehead which was bleeding and also the right side of my right knee was also bleeding profusely as it had hit some hard substance. The

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head cut was caused by hitting the floor as the plane crashed. My clothes did not catch fire. My hands were burnt very badly in the attempt to take off Netaji's clothes. Both my hands up to the wrist show marks of deep burning even after a lapse of more than ten years".

If the above version is to be believed, he must have sustained severe burn injuries on his palms and other parts of his body necessitating sustained treatment. In fact, he claimed that he was treated for the injuries at Nanmon Hospital (the Army Hospital) and Hokuto Hospital for a number of days. However, no documentary evidence in support of the injuries sustained by him or the treatment he received in the hospitals were produced. On the contrary, his evidence in this respect stands belied by the evidence of Capt. B. Karmakar (CW 46), an ex-INA member, who stated that in the last part of August, 1945 (that is, within a few days after the plane crash) he met Habibur Rahman in Tokyo when he showed him some burn spots on the back of his both hands and white patches behind his ears and the above evidence of Capt. B. Karmakar is corroborated by the evidence of two other witnesses, viz. Capt. Bipul Kumar Sarkar (CW 15) also of INA and Shri Swadhin Sanyal (CW 117). While the former deposed that he met Habibur Rahman in Calcutta in 1946 when he (Habibur Rahman) showed him burn marks on the back of his hands, CW 117 who met him in Delhi in 1946/47 at the residence of his father - a renowned political figure - stated that there were two small white spots on the two palms on their dorsal aspect. Therefore, there cannot be any manner of doubt that the version of Habibur Rahman about the nature of injuries sustained by him in the plane crash is suspect.



4.12.8 Another significant fact that raises a serious doubt about the truth of Netaji's death in the plane crash is furnished by the unusual conduct of Habibur Rahman as evinced by his non-communication of the above news. If Netaji had really died in the manner as alleged it was expected that he (Habibur Rahman) would as the only surviving member of INA immediately report about it, more so when it related to the death of his Supreme Commander, to his superiors in the army and his colleagues in Bangkok, Singapore, Saigon and Tokyo. His such conspicuous silence cannot be explained in any way except that he was playing a very vital role along with the Japanese army authorities in formulation and execution of Netaji's escape plan.

4.12.9 The next circumstance that makes the story of the accident suspect is the non-availability of any document of the air crash. Even though the Japanese were in control of Taipei till October 25, 1945 (when the Chinese took over) and an inquiry into the accident was held as early as September 13, 1945 by a team of British Intelligence headed by Mr. Finney it does not appear that any attempt was made by them to look for the Airport records. It rather appears from a letter dated June 4, 1956 addressed to Shri Dar, First Secretary, Embassy of India in Tokyo by Hisaji Hattori, Chief of 4<sup>th</sup> Section, Asian Affairs Bureau that no official Inquiry Commission to determine the causes of the accident in question was held (till then). A copy of that letter is annexed herewith (Annexure-D/15).

4.12.10 Another circumstance that militates against the story of Netaji's death in the plane crash on August 18, 1945 at Taihoku and lends support to the escape plan is the message that was sent by the Chief of Staff, Southern Army to O.C., Hikari Kikan on

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August 20, 1945 to say that "T" (code name of Netaji) had died as a result of an accident and his body had been flown to Tokyo by the Formosan Army (emphasis supplied).

4.12.11 The other impediment to the acceptance of the story of the plane crash is furnished by the evidence of Shri S.A. Ayer ( SW 6/KW 29), ex- Publicity and Propaganda Minister of Azad Hind Government as corroborated by the relevant passages of his book titled "UNTO HIM A WITNESS" (Exhibit 308). It appears from the evidence of Shri Ayer that in the morning of August 20, 1945 while he was preparing for his journey from Saigon airport to Tokyo by plane he came across Rear Admiral Chuda of the Japanese Navy, with whom he had previous acquaintance, and he (Rear Admiral Chuda) divulged to him the news of Netaji's death. In this regard Shri Ayer's evidence supported by a passage at page 86 of his book reads :

"I had no chance to ask him for any detailed information because in the next few moments I was aboard the bomber bound for Japan. On the flight I was escorted by Col. Tada, staff officer of Field Marshal Terauchi's command and by Capt. Aoki. When we reached Canton at about 5 p.m. and halted for refuelling, Col. Tada, through Capt. Aoki, told me for the first time that Netaji's plane crashed near Taihoku (Formosa) on August 18 and that Netaji was seriously injured and succumbed the same night and Col. Habibir (sic) Rehman, who was not so seriously injured, was still alive and lying in a Hospital at Taihoku. I told Col. Tada bluntly that neither Indians in East Asia nor Indians in India would be prepared to believe the story of the air-crash unless positive proof was forthcoming and I pressed him to see that the plane took me to Taihoku so that I may have a chance of seeing Netaji's body with my own eyes and be of some



service to Col. Habib in his then condition. I also told him that it was necessary as thereby at least one more Indian besides Habib could claim to have gone to Taihoku and satisfied himself about the truth of the air-crash story. Col. Tada promised that I would be taken to Taihoku, but later we actually landed at what I learnt was Taichu aerodrome. (So far as I know Taihoku was the Japanese name of Taipei.) I expressed my bitter disappointment particularly when I was told that from Taichu we were to fly direct to Japan without touching Taihoku."

From Shri Ayer's evidence referred to above it is manifest that on receiving the news of Netaji's death he refused to believe that he had died in the plane crash as reported to him and insisted on his being taken to the site of the accident at Taihoku and given the opportunity of seeing Netaji's dead body. But in spite of his repeated entreaties and repeated assurances given by the Japanese military authority there was utter reluctance on their part to take him to the spot of the accident obviously because they wanted to suppress facts from him. Therefore, it has been contended by some of the deponents that such reluctance on the part of the Japanese military authority to take Shri Ayer to Taihoku or show him the dead body of Netaji falsifies the story of the plane crash and for that matter Netaji's death therein.

4.12.12 Reference at this stage may be made to another circumstance which, although ostensibly peripheral, is pertinent to the issue of the plane crash. During his visit to Taipei when the Chairman of the Commission requested the officers concerned of the Taipei City Government to furnish the records on the basis of which they gave out that there was no plane crash on August 18, 1945, they told that the information was based solely on contemporary newspaper accounts kept in their archives. A visit of the

Chairman to the Institute of Taiwanese History and perusal of the microfilmed daily newspapers confirmed that there was no report of any plane crash on August 18, 1945 (vide Annexure-D/1). From the above, it can legitimately be inferred that if really there was a plane crash resulting in death of quite a number of persons including Netaji, a prominent and recognised Head of a State and Mr. Shidei, a military officer of the rank of General of the Japanese army, the news about the same would have been published in the local daily 'Central Daily News'. It is of course true that this circumstance by itself does not negate the story of plane crash but it certainly lends assurance to the finding already arrived at in this regard on the basis of other facts and circumstances appearing on record.

4.12.13 It will be not out of the place to mention here that even news of lesser importance relating to Netaji's family was published in the same daily ('Central Daily News') in its issue dated September 14, 1945 – a few days after the date of the alleged aircrash – which, needless to say, indicates that Subhas Chandra Bose was well-known to the people and press there. The relevant portion of the said news item, when translated in English, reads as under :-

"Central Daily News, 14 September, 1945

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 \*\*\*                      \*\*\*                      \*\*\*                      \*\*\*

The Indian Government decided today to release the younger brother (s) and family of Bose who were detained since the beginning of the Japanese war. The members belonging to the Bose family (clan) who opposed the Government of India will also be set free. The official announcement states, "In view of the Japanese surrender, there is no need for detaining these people for a long time".



4.12.14 So far, the evidence regarding Netaji's death in the plane crash and his cremation has been discussed keeping in view the submissions made by some of the deponents and their learned Counsel (except those relating to the contradictions in the evidence of the witnesses as pointed out by them to which reference will be made later on) and the appraisal thereof has yielded the following findings :-

- (a) There is no satisfactory evidence of the plane crash; on the contrary, the story given out in that respect is rather improbable;
- (b) In absence of any contemporaneous record in the hospital, the Bureau and/or the crematorium, the oral account of the witnesses of Netaji's death and cremation cannot be relied upon to arrive at a definitive finding on the basis thereof; and
- (c) A secret plan was contrived to ensure Netaji's safe passage to which Japanese military authority and Habibur Rahman were parties.

Thus said, the only point that still survives for discussion and for coming to a conclusion is whether the escape plan succeeded. To seek an answer to the above question the issue relating to death and cremation of Ichiro Okura will have to be considered first.

4.12.15 Culling the evidence on record - both oral and documentary ( some of which have already been referred to and relied upon in arriving at the conclusion that Netaji's death has not been proved) - it is seen that Ichiro Okura, who was a member of the Taiwan Government Army, died of heart failure on August 19, 1945 in the Army Hospital. After his death, Mr. Yoshimi, a member of the Japanese Army (Unit number 21123), obtained a death certificate from the Army Hospital on August 21, 1945 issued.

by Dr. Tsuruta, whose name in Formosan dialect is 'Chhuluta' (vide pages 90-91 of Shri Harin Shah's book - Ext. 295, para 8.9 of Khosla Commission's report and Anglo-Japanese translator Shri Sandeep Kumar Sett's report dated April 05, 2005 - Ext. 305 collectively) and with that certificate he went to the Bureau to obtain the necessary permit for cremation. In compliance with the regulations then in force (referred to earlier) he submitted the death certificate with two duly completed forms necessary for obtaining the permit. After the required procedure was complied with a cremation permit in the prescribed form was issued to him on that date (August 21, 1945) fixing the date and time of cremation on August 22, 1945 at 6:00 p.m.

In narrating the story of cremation, Tan Ti-Ti, who at the material time was in charge of issuing cremation permits in the Bureau and whose statement before the Formosan inquiring officer in connection with the procedure for issuance of permits has earlier been discussed, stated before that officer that on the following day (August 22, 1945) the army officer, who had obtained the permit for cremation of Ichiro Okura the day before, came in a car in the company of an Indian (the discussion to follow will prove that the said Indian was none other than Habibur Rahman) followed by a military truck carrying a boxlike coffin. Some army officers, who were present there, unloaded the coffin and after depositing the same in the auditorium closed the door. The body was then put inside a furnace of the crematorium. Thereafter the furnace was locked and the key was given to the Indian for custody. The Indian was told to come back at 8 a.m. on the following day to collect the ashes. The Indian then left with the army officer who had come for the cremation of the dead body of Ichiro Okura.



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As advised, on the following day (August 23, 1945) at about 8 a.m. that army officer along with the Indian came to the crematorium to collect the ashes of the deceased. The lock was then opened by the Indian and from the ashes the army officer picked up bone remnants with chopsticks one by one following the Buddhist custom and deposited them in a wooden box. Along with the said army officer the Indian left the crematorium with the box containing the mortal remains collected from the furnace.

The statement of the above witness, who was most competent to testify to the cremation, coupled with the death certificate issued in respect of Ichiro Okura dated August 21, 1945, the application by Mr. Yoshimi on the same day for obtaining the cremation permit, cremation of the body on the following day and entry in the cremation register against Sl. No. 2641, containing all the above particulars including the name of the applicant (Mr. Yoshimi) and his Unit number leads to the only conclusion that it was Ichiro Okura who died on August 19, 1945 and was actually cremated on August 22, 1945. On this point it need be mentioned that Mr. Yoshimi, the applicant, is not to be confused with Dr. Yoshimi of the Army Hospital: first, because the unit number of the applicant (21123) tallies not only with the entry in the cremation register but also with the application filed for seeking cremation permit; secondly, because Dr. Yoshimi had had all along been asserting that he issued the death certificate and applied for the cremation permit in the name of Chandra Bose; thirdly, because he deposed before this Commission that he did not know any person by the name of Ichiro Okura; fourthly, because he never claimed that he visited the Bureau for receiving the permit and was present at the time of cremation; and lastly, because even in the copy of the death

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certificate, which he claimed to have issued as late as 1988, he gave the name of Chandra Bose as the deceased.

4.12.16 It is thus seen that all the relevant documents which have been annexed heretofore unerringly lead to the irresistible conclusion that the death of Ichiro Okura owing to heart failure on August 19, 1945 and his cremation on August 22, 1945 on the basis of a permit issued on the previous day, were passed off as those of Netaji. To put it conversely, none of the documents received by the Commission indicates – much less proves – that it was Netaji who died and was cremated utilising the name of Ichiro Okura.

It may be recalled that the comment of this Commission upon the submission of some of the learned Counsel that the relevant minute recorded by the British Cabinet on October 25, 1945 (vide the Transfer of Power, Vol. VI) was kept reserved till discussion of all other related materials on the point. Now that it has been found on a detailed and careful analysis of the materials on record that Netaji did not die in the plane crash, it must be said that the minute reassures the above finding.

4.12.17 The very fact that the Japanese army authorities wanted to pass off the death and cremation of Ichiro Okura as those of Netaji is an eloquent proof of their ensuring Netaji's safe passage by creating a smokescreen. The other facts and circumstances, which betray their anxiety and tension to make out an untrue story of his death and cremation with the connivance of Habibur Rahman and to execute their plan successfully may now be detailed.

- (i) A few days after the alleged air crash on August 18, 1945 the Japanese army authorities persuaded Dr. Tsuruta to issue a death certificate in th



name of somebody else to be used as a proof of Netaji's death to facilitate cremation as would be evident from the following statement given by Dr. Tsuruta on December 13, 1955 in course of the inquiry held by the Japanese Government {Ext. 303 (collectively)} :-

"I have a memory that the body was cremated several days after the death. It is absolutely not true that the body was cremated on the following day of his death. Several days after the death of Mr. Bose, at the Army Headquarters' sudden request to write a death certificate, I issued it in my name. "The change in circumstances does not allow us to send the body to Tokyo. A decision was taken suddenly to cremate the body at Taipei. We request you to write a death certificate for the purpose of cremation"; said the Army Headquarters. Being concerned that if identification of the body had been found out as Mr. Bose, it would have turned out bad, the Army Headquarters told me not to write Mr. Bose's name in a death certificate. I gave a false Japanese name of 'Hachiro Okhura' after 'Kihachiro Okhura' " (emphasis supplied).

It is evident that he used the above Japanese name obviously because he had earlier given a genuine death certificate for the death of Ichiro Okura due to heart failure.

Similar explanation was given by the Japanese army authorities as would appear from the letter dated July 24, 1956 sent by the Ministry of Foreign Affairs of Japan to

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Shri A.K.Dar, First Secretary of Indian Embassy in Tokyo while forwarding the entry relating to Ichiro Okura in the cremation register {vide Annexure-D/7 (collectively)}.

It is obvious that reference to the name of Ichiro Okura and reliance upon the entries in the cremation record against the name which did not and could not by any stretch of imagination relate to Netaji (as discussed earlier) clearly indicate that the story of Netaji's death in plane crash is untrue. The reason for resorting to such a camouflage by the army authorities is not far to seek. If the Japanese authorities wanted to create documentary evidence to make people in general, and the Allied Powers in particular, believe that Netaji had died in a plane crash the best course open to them would have been, if the story in respect of the plane crash was true, to avail of the documents relating to the death and cremation of the few other co-passengers of the ill-fated plane and to pass off the same as those of Netaji to maintain secrecy. In that case the date of death, the cause of death and nature of injuries would have been common with those of Netaji, thereby making the story of his death more probable and acceptable. This tell-tale circumstance not only supports the successful implementation of the escape plan but also negates the story of the air crash. This inference stands fortified by the absence of any entry in the cremation register relating to the cremation of the dead body of any of the passengers of the ill-fated plane including Netaji {vide Annexure-D/10 (collectively)}.

- (ii) At the instance of the Japanese army authorities a signal, as stated earlier, was sent on August 20, 1945 to say that Netaji's dead body had already been flown to Tokyo;



- (iii) Lest the identity of the dead body of Ichiro Okura should have been discovered by the Bureau people who were not likely to be party to the escape plan, the Japanese army officers resorted to various precautionary measures at the time when the dead body of Ichiro Okura was brought to the Bureau for regulatory inspection. In this connection, the relevant statements relating thereto as appearing at pages 87-89 of Sri Harin Shah's book "Gallant end of Netaji" (Exhibit 295) may profitably be recounted:-

"Li Chin Qui and Tan Chi Ch stated that both of them were employed in the Bureau during the Japanese rule and were continued on the staff for the same work by the Chinese authorities. It was their business to satisfy themselves about the genuineness of requests for permission for cremation by checking the bodies brought to the Bureau. They would then fill up the form, after examining the doctor's report on death, which served both as a record for the Bureau and a permission for cremation for the relatives of the deceased.

Li Chin Qui and Tan Chi Ch were on duty at the Bureau when on 21<sup>st</sup> August, 1945 the body of Chandra Bose was brought at the Bureau prior to cremation. The Bureau then was headed by a Japanese Director. Certain Japanese military officers accompanied the body of Netaji Bose. They didn't see any Indian in the team at the Bureau. They heard the accompanying Japanese officers telling the Japanese Director of the

Bureau that the body was of Chandra Bose, the distinguished Indian leader.

I asked them : "How long have you been working in the Bureau ?"

The clerks replied : "We have been working here for nearly past 10 years".

"How did you know that it was the body of Chandra Bose ?"

"We heard the accompanying Japanese military officers telling the Japanese Director that it was the body of distinguished Indian leader Chandra Bose."

"What happened thereafter ? Did you follow the procedure Bureau had laid down ?"

"Normally, we would ourselves check up the body. But we were not allowed to do the routine examination by the Japanese officers who said that under orders, we were not to be allowed to inspect the body of this great man." (emphasis supplied).

"What was your impression of the body ?"

"The body was very big."

"Then.....?"

"The body was taken out from the coffin, and was placed on a piece of wood. The body was wrapped in cloth. It was then placed on a bier."

I asked the Formosan friends : "Since the checking procedure was done away with under orders on special grounds, did you proceed with the filling of the form and issuing of the permission for cremation ?"



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The reply came, "Yes, we had to record the doctor's report and issue the permission for cremation. This permission was necessary for every cremation and that is why the officers came with the body to the Bureau." (emphasis supplied).

- (iv) That Habibur Rahman (the Indian referred to by Tan Ti-Ti) was also a party to the escape plan is evidenced by the prominent role he played in ensuring that the Bureau people could be misled in believing that the body which was going to be cremated was that of Netaji. It is pertinent to note here that even though it was the body of Ichiro Okura which was to be cremated on August 22, 1945 Habibur Rahman, who could not have any interest in that cremation, visited the crematorium along with army officer Mr. Yoshimi not only to attend the cremation on that date but also to collect the ashes on the following day. Before proceeding further it need be mentioned that while he (Habibur Rahman) stated before the Committee that the cremation took place on August 20, 1945, Tan Ti-Ti stated that it took place on August 22, 1945. Since the documentary evidence on record proves that the cremation took place on August 22, 1945 and Habibur Rahman contradicted himself by giving a written statement earlier, mentioning August 22, 1945 as the date of cremation (vide Pages 144-145 of Exhibit 224), reference to August 20, 1945 in his statement before the Committee cannot be true. At the risk of repetition, it may be stated here that as the permit to cremate Ichiro Okura was issued to Mr. Yoshimi on August 21 with the date of cremation fixed on August

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22 and Habibur Rahman accompanied him for the cremation, it could not have taken place before August 22.

As to how the body was kept after death, Habibur Rahman had this to say before the Committee:

"I was present when the body was put in the coffin. The body was fully dressed and no part of it was visible ....." (emphasis supplied).

As regards the state of the body when it was brought out of the coffin before cremation Mr. Chang Chuen (KW 207), who claimed to have been present at that time in the crematorium, stated before the earlier Commission as under :-

"When the coffin was taken out of the truck, the Keeper of the crematorium came and said the coffin was too big to enter the furnace. So, we opened the box which was filled with calcium oxide. The Japanese ordered to pull the dead body from the coffin and it was wrapped in a cloth and a Japanese army blanket."

The Chairman also put some questions to which he gave the following answers :

"Q. Could you see the face of the dead body ?

A. Honestly and frankly speaking, if I have seen the man I do not know and I cannot recognize him.

Q. But could you see the face ?

A. The face was fully covered."

From the evidence of the above two witnesses it is seen that when the dead body was put in the coffin and was placed in the furnace after being brought out of the coffin, the body including the face was fully covered. Another witness to the cremation, viz., S. Nagatomo, ex-Major (SW 60) stated before the Committee as under :-



"The whole of the coffin was put on the sliding plate. It is customary in Japan to cremate the body in the coffin. After placing the body in the furnace, we went to the back side of the furnace and I set fire."

Irrespective of the fact whether the dead body was placed in the furnace after being brought out of the coffin with the face fully covered or the coffin with the dead body inside was placed in the furnace for cremation, there is no room for doubt that all possible precaution was taken for hiding the identity of the deceased till cremation.

The eloquent proof of Habibur Rahman's role in the escape plan as also the manner in which he wanted to execute the same is furnished by the fact that he ensured the photographing of the dead body minus the face as would be evident from the following statements he made before the Committee:-

"The photo of his body (excluding the face) was taken at my request.

Since the face was not in good condition as I mentioned above, I requested them not to take the photo of the face out of sheer sentiment

.....as the face was disfigured I asked them to take the photo without the face. I would not have objected to the taking of the photo of the face had it been in normal condition".

If the body was covered with Japanese hospital gown, which necessarily means that his torso could not even be seen, it does not stand to reason why the photograph was sought to be taken without the face. The only plausible inference that can be drawn therefrom is that as Ichiro Okura had died of heart-attack and, as such, could not have any injury on his body, not to speak of the face, Habibur Rahman decided to have the

photograph taken of the dead body without the face to avoid discovery of the identity of the deceased, namely Ichiro Okura.

- (v) The very fact that the Japanese Buddhist custom, viz. preservation of the dead body for three days before cremation (vide the evidence of Sri Harin Shah - SW 9), which fits in with Ichiro Okura's death on the 19<sup>th</sup> and his cremation three days thereafter, i.e., on the 22<sup>nd</sup>, and picking up of bones from every portion of the body after cremation and keeping the same with the ashes - vide the evidence of Mr. Nagatomo (SW 60) - was adhered to is another circumstance which indicates that the body cremated and the mortal remains taken therefrom were of Ichiro Okura and not of Netaji.

4.12.18 On a conspectus of all the facts and circumstances relevant to the above issues it stands established that emplaning at Saigon on August 17, 1945 Netaji succeeded in evading the Allied Forces and escaping out of their reach and as a camouflage thereof the entire make-belief story of the air crash, Netaji's death, therein and his cremation was engineered by the Japanese army authorities including the two doctors and Habibur Rahman and then aired on August 23, 1945 through a statement prepared by Sri S.A. Ayer at the dictation of the aforesaid authorities to give imprimatur of the INA to the death news of Netaji. Obviously, in cooking up the story of Netaji's death in the plane crash and giving it a modicum of truth they (the Japanese military authorities and Habibur Rahman) had no other alternative than resorting to suppression of facts and in so doing they not only invited material contradictions in their evidence as pointed out by the deponents and their learned Counsel but also left latent loopholes



which have now been discovered. Though no firm opinion can be expressed about Netaji's exit point it can legitimately be inferred, having regard to the established fact that Habibur Rahman who accompanied him from Saigon was next found present in Taipei cooking up a story (along with others) of his death there, that Netaji disappeared therefrom (Taipei). But the question whether Netaji thereafter landed in Russia or elsewhere cannot be answered for dearth of evidence.

4.12.19 As regards the journey of the ashes collected by Habibur Rahman from the crematorium at Taipei to the Renkoji Temple in Japan the evidence is consistent and, therefore, needs no discussion. Since the ashes collected were of Ichiro Okura - not of Netaji - the only inference that can be drawn is that the ashes lying in that temple cannot be of Netaji. On the contrary, the presence of bones in the ashes as noticed by officers of Indian Embassy in Tokyo is a circumstance which corroborates that those cannot but be of Ichiro Okura. Considered in that backdrop, the inability of the Commission to subject the mortal remains to DNA test in the circumstances beyond its control has not stood in the way of recording its conclusive finding in that regard - a finding arrived at on the basis of robust circumstantial evidence on record.

### (iii) Death in Dehradun

4.13 The version claiming that Netaji died at Dehradun in Uttar Pradesh in 1977 stems from the setting up of an Ashram named and styled as 'Shoulmari Ashram' at a place called Falakata in the district of Cooch Behar which borders Bangladesh, Bhutan and Nepal. According to the materials made available to this Commission, this Ashram was set up in or about 1959 by a Sadhu known as Sharadanandji (hereinafter referred to as "Sadhu") and his disciples. At the inception nobody took notice of the Ashram and for that matter of the Sadhu, but when it extended its geographical area over 100 acres of land, its inhabitants rose to about 1,500 and armed guards were posted, outsiders living in and around the place became inquisitive about the real identity of the Sadhu as well as the goings-on at the Ashram. Within a few months thereafter, rumour spread in the district of Cooch Behar that Netaji had been living in the Ashram in the guise of the Sadhu. Though this rumour created a lot of commotion among the common people the general intelligentsia ignored the rumour in absence of any authentic basis to prove that the Sadhu was Netaji. However, the rumour persisted and in 1961 it spread throughout the country.

4.13.1 Attracted by the rumour, major Satya Gupta, a close associate of Netaji, met the Sadhu in February, 1962 at the Ashram and after coming back to Calcutta he called a press conference wherein he asserted that the Sadhu was none but Netaji. The assertion so made by him was published in different national newspapers on February 13, 1962. Thereafter, some people of repute visited the Ashram and met the Sadhu to ascertain whether he was Netaji or not. On return diametrically opposite views were expressed by



them regarding his identity. The issue was also raised in the Indian Parliament and it became the subject matter of a debate. The Sadhu reportedly stayed in the Ashram for about 6/7 years whereafter he visited several places in India and ultimately settled down in Dehradun in 1973. There he died in 1977.

4.13.2 The question whether the Sadhu was Netaji or not came up for consideration before the Khosla Commission wherein, while some of the persons claimed that the Sadhu was none but Netaji, the others denied it. Before this Commission also the witnesses who were examined on this issue were similarly divided in their views. Before considering the evidence of the relevant witnesses examined by the earlier Commission, evidence adduced before this Commission may be looked into.

4.13.3 Of the eleven witnesses examined on this score eight have put forward the story that the Sadhu was none other than Netaji, while the other three have disputed the claim. The eight witnesses that fall in the first category are Sudhangshu Kumar Poddar (CW 76), Sudhir Kumar Poddar (CW 77), Lalit Mohan Chowdhury (CW 78), Bikash Chandra Guha (CW 79), Sujit Kumar Biswas (CW 80), Subhas Ranjan Dasgupta (CW 85), S. S. Padhye (CW 102) and Viswajit Dutta (CW 113). When their evidence is pitted against that of the witnesses of the other category, viz. Rajat Kanti Bhadra (CW 81), Dinabandhu Dutta (CW 82) and Nikhil Chandra Ghatak (CW 83), the evidence of the former cannot be accepted for the following reasons :-

- i) The witnesses who claimed that the Sadhu was Netaji were only occasional visitors to the Ashram and they have not produced any reliable document in support of their such claim except that CW 79 produced a letter which, according to him, was handed over by the Sadhu on October 15, 1967 authorising him to

collect / raise donations on behalf of the Ashram and which was not found, when examined by handwriting experts at the instance of the Commission along with the admitted handwriting of Netaji, to have been written by the latter, and

- ii). CW 81, who used to look after the stores of the Ashram during 1961-1967, CW 82, who was also connected with the Ashram since it was established in 1959 and is still with it, and CW 83, who is a senior practising Advocate in Jalpaiguri Courts and also a lecturer in Jalpaiguri Law College and was looking after the litigations concerning and/or relating to the Ashram, categorically stated that the Sadhu had denied in no uncertain terms that he was Netaji born in wedlock of Janaki Nath Bose and Bivabati Bose and asserted that he was born in a Brahmin family of East Bengal (now Bangladesh) and reiterated his aforesaid denial/assertion in various meetings held in the Ashram as also in meetings outside. This was corroborated by another witness, viz. CW 102 S. S. Padhye. Admittedly, Netaji was born in a Kayasthya family of Cuttack in the State of Orissa.

4.13.4 Before the Khosla Commission also some witnesses made a similar statement as would be seen from the evidence of Dr Pabitra Mohan Roy (KW 176) and Shri Surendra Mohan Ghose (KW 154) before whom the Sadhu had stated that he was not Netaji and was not the son of Janaki Nath Bose. Distinguishing the Sadhu's appearance, accent and his manner of speaking from those of Netaji, Nibarandu Dutta Majumdar, who deposed before the Khosla Commission as witness No. KW 174, stated that the Sadhu did not resemble Netaji and he spoke the dialect of the Sylhet border in East Bengal, whereas



Netaji was a man of Cuttack (Orissa) with his ancestral home in South 24 - Parganas (West Bengal).

4.13.5 When the real identity of a person is the issue his evidence is undoubtedly of great importance unless, of course, it is proved that he was suppressing his identity with an oblique motive or purpose. As in the instant case there is no reliable evidence to prove that the Sadhu was Netaji, the question of his (Netaji's) death in Dehradun in 1977 does not arise.

- Diary 1501 pages  
Dictations  
Plans  
Photo album, dead  
hand writing submitted  
no comment?

(iv) Death in Sheopurkalan

4.14 One of the persons who responded to the Notification issued by the Commission in accordance with Rule 5(2)(b) of the Commissions of Inquiry (Central) Rules 1972 by filing a statement (supported by an affidavit) was Shri Jagannath Prosad Gupta, a resident of village Nagda in the district of Sheopurkalan (Madhya Pradesh). He asserted that during the days of struggle for freedom of India a plane crash-landed in the neighbouring village of Pandola and the three persons who survived the crash were a 'Sadhu', Col. Habibur Rahman and Hitler. Later on, the 'Sadhu' came to their village and started living on the bank of the river nearby. The 'Sadhu' who carried the name of Jyotirdev used to correspond regularly with the senior officers and used to go out of the village frequently. According to Shri Gupta, the 'Sadhu' was none other than Netaji and he died on May 21, 1977 in Sheopurkalan. He lastly stated that after his death the Government of Madhya Pradesh had seized all records pertaining to the 'Sadhu' and, according to him, those documents contained proof of his identity as Netaji. Three affidavits sworn by Ram Bharosi Sharma of village Nagda, Kartar Singh of village Raipura, and Gurdayal Singh of village Mohana were filed in support of Shri Gupta's statement.

4.14.1 In course of the inquiry the Commission examined all the above four persons at Sheopurkalan (CWs 26, 27, 29 and 30). Besides, Mrs. Dulari Bai of village Nagda, whose association with the 'Sadhu' transpired during the examination of the above witnesses, was also examined (CW 28). The statements of these five witnesses undoubtedly prove that a 'Sadhu' by the name Jyotirdev lived in the district of



Sheopurkalan for quite a number of years and that he died there on May 21, 1977 but their claim that the 'Sadhu' was Netaji is wholly unfounded.

4.14.2 Admittedly, none of them saw Netaji earlier nor are the documents filed by them have any relevance to the issue. Besides, the documents seized by the police from the residence of the 'Sadhu' after his death at the instance of Shri Gupta did not at all support his contention that those documents would unmistakably prove that the 'Sadhu' was Netaji. So far as the story of plane crash in 1946 is concerned, it is patently absurd on the face of it and need not be delved into. For the foregoing reasons the claim of the above five witnesses that Netaji died at Sheopurkalan on May 21, 1977 has got to be rejected outright.

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## (v) Death in Faizabad

4.15 The story relating to death of Netaji in Faizabad originates from the statements (supported by affidavits) filed by Dr. Alokesh Bagchi of Gorakhpur, Shri Ashok Tandon, Shri Shakti Singh and Shri Kailash Nath Jaiswal of Faizabad in response to the statutory Notification issued by this Commission. The common case that has been made out by them in their statements is that after the death of Stalin in March, 1953 Netaji escaped from the then Soviet Russia and after coming to India lived at different places in Uttar Pradesh and lastly at 'Rambhawan' in Faizabad. The detailed particulars of those places and duration of his stay there have been incorporated in their statements. Their further claim is that in September, 1985 he left 'Rambhawan' for an unknown destination, leaving behind a large number of household articles including his family photos, books, letters and other documents in that house; and the custody of the same was taken by the District Magistrate of Faizabad and kept in the treasury there, following an inventory prepared in terms of the direction given in Writ Petition No. 929 of 1986 filed by his (Netaji's) niece Lalita Bose and two others.

4.15.1 To work out the information furnished through those statements and ascertain the truth thereof the Commission visited Faizabad and inspected all the articles kept in the treasury. On thorough scrutiny of more than 2,600 items lying there the Commission felt that about 700 of them might be relevant for its purpose and accordingly brought them to its office in Kolkata. As some of those letters were sent by different persons from Kolkata, the Commission examined some of them. In view of the claim made by a few of the witnesses examined that the writings in some books and journals found in



Rambhawan were those of Netaji, they were sent for examination by handwriting experts. Besides, some teeth found there were sent for DNA test to ascertain whether they belonged to Netaji's lineage.

4.15.2 In asserting their claim that Netaji lived at various places in the State of Uttar Pradesh as an ascetic holy man under two different names, viz. Gumnamī Baba and Bhagwanji, 31 persons have deposed before this Commission. While according to some of them he died at 'Rambhawan' in Faizabad on September 16, 1985 where he last resided, a few others claimed that he had left Faizabad in that month. Of the deponents, the evidence of the following has to be left out of consideration altogether, as it is either hearsay or based on belief without any substantial material in formation thereof : Dr. Alokesh Bagchi (CW. 17) , Shri Viswabandhu Tewari (CW 18), Shri I.B.Saxena (CW 19), Dr. Ramendra Pal (CW. 58) and Shri Kailash Nath Jaiswal (CW 60).

The next set of persons coming under the above category are three journalists: Shri Ashok Tandon (CW. 33), Dr. Viswambharnath Arora (CW 63) and Sayed Kauser Hussain (CW. 64) as their claim is based on the result of their investigation into the mystery surrounding Gumnamī Baba as also the several articles they wrote in their respective newspapers, magazines and books, relying upon the statements made before them by several persons (some of whom have been examined by this Commission).

Then comes another group of persons whose evidence on this issue cannot be entertained as they admitted that they had not seen Gumnamī Baba. These witnesses are Shri Gur Basant Singh (CW. 39), Shri Shakti Singh (CW. 42), Shri Nirupam Misra (CW.

59), Shri Rabindra Nath Shukla (CW. 61), Prof. Nandalal Chakrabarti (CW. 95) and Shri Dulal Nandy (CW.107).

Another set of witnesses to whose evidence reference has to be made only to be rejected comprises those who have not seen Netaji before August, 1945 but claimed that one 'Mauni Baba' who was also known as Sant Samrat Yogi and who used to live in an Ashram in the district of Sitapur was Netaji. In support of their claim two of them produced few photographs of Mauni Baba, a bare glance of which shows that they have no resemblance whatsoever with Netaji. The witnesses who fall under this category are Shri Raghuraj Singh Rathore (CW. 20), Baba Bhandari @ Shew Bhagwan (CW.35) and Shri Shyam Narayan Bind (CW. 57). Besides, Col. A.B.Singh (CW. 41), who was formerly with INA and knew Netaji since his INA days, testified that on February 19, 1996 he went to Sitapur and saw Mauni Baba. According to him, he was impressed as Mauni Baba's appearance was similar to that of Netaji. Since it has been found that the photographs of Mauni Baba have no similarity whatsoever with Netaji, the evidence of this witness also cannot be entertained.

4.15.3 Following the exclusion of the evidence of the above witnesses for the reasons aforesaid, the evidence of the remaining witnesses on this issue may now be detailed and discussed.

4.15.4 Dr. P Banerjee (CW 37), who was a resident of Faizabad, stated that in the year 1974/1975 he along with his parents had gone to the residence of a saint at Brahmakund in Ayodhya, as he was given to understand by his father that he was none other than Netaji. Initially, he and his family members were not allowed to see the saint as he used to sit behind a curtain. However, their persuasion yielded result in that the saint talked



to them face to face. Their such interaction prompted his parents to say that the saint was none other than Netaji. Since, however, he himself did not assert that the saint was Netaji his evidence in this regard is nothing but hearsay. The other two members of his family who deposed before this Commission were his wife Sm. Rita Banerjee (CW 65) and his mother-in-law Sm. Bithi Chatterjee (CW 71). Both of them averred that they had seen 'Gumnami Baba' on several occasions while he was living in Brahmakund during 1975-76, but as the former based her claim on her belief only and the latter stated that though she had seen Netaji in Lucknow in or about the year 1943 she found it difficult to say whether Gumnami Baba was Netaji - their evidence does not assist the Commission in answering this issue.

The next witness on this point is Shri Raj Kumar Shukla (CW 38) whose mother Smt. Saraswati Devi Shukla was the attendant of Bhagwanji (she could not be examined by this Commission as she had already expired). According to this witness, his mother came in contact with Bhagwanji in 1955-1956 at Singarnagar, Lucknow and she worked with him till his death on September 16, 1985 at Ram Bhavan, Faizabad. His evidence discloses that while living with his mother at the places where Bhagwanji resided till his death he saw quite a number of persons of Kolkata visiting Bhagwanji. In detailing their names he gave out that Smt. Leela Roy, Prof. Samar Guha, Dr. Pabitra Mohan Roy and Shri Amal Roy used to come on January 23 (Netaji's birthday) and during the Durga Puja festival almost every year. His evidence further indicates that the visitors were allowed to talk to Bhagwanji from behind a curtain. As regards the identity of Bhagwanji his evidence is that he heard from his mother that he was Netaji and since then he shared the same belief. Though his evidence does not in any way prove

that Bhagwanji was Netaji, it at least proves that quite a number of eminent persons from Kolkata used to visit Bhagwanji.

4.15.5 Next comes some of those people of Kolkata who used to frequently go and meet Bhagwanji / Gumnami Baba wherever he lived during the period from 1963-1983. The first witness in this category is Shri Sunil Krishna Gupta (CW 91). His evidence is that in or about 1963 Shri Suresh Bose (elder brother of Netaji) told him that Netaji was reportedly staying in Naimisharanya in the district of Sitapur in Uttar Pradesh. On getting that news he went to Naimisharanya and met a Sadhu in a temple there. To interact with the Sadhu he stayed there for ten days. Since then he used to go and meet him wherever he resided almost every year on January 23 and during Durga Puja. He addressed that Sadhu as Bhagwanji. According to him, the other frequent visitors were Dr. R.P. Misra, Dr. Pabitra Mohan Roy, who was attached to the secret service of INA, Shri Shiba Prosad Nag and others. He admitted that he had not seen Netaji before August 18, 1945, but averred that after seeing and interacting with Bhagwanji he was convinced that he was none other than Netaji. He next stated that at the instance of Bhagwanji he went to Taihoku to watch the proceedings of Khosla Commission and on return apprised him of all the details thereof. He lastly stated that he maintained a diary in which he recorded the resume of his talks with Bhagwanji.

The other witnesses who fall in this category are: Shri Surajit Dasgupta (CW 94), Shri Jagatjit Dasgupta (CW 96), Shri Tarun Kumar Mukhopadhyay (CW 97) and Shri Bijoy Kumar Nag (CW 98). They also admitted that they had not seen Netaji before August 1945 but asserted that frequent meetings with Bhagwanji led them to conclude that he was Netaji. Like Shri Gupta, they also diarised the talks they had with



Bhagwanji. In his testimony Shri Nag, however, further stated that Bhagwanji used to talk about various events of his earlier life including his days in INA from which he was convinced that Bhagwanji was none but Netaji. He also produced before this Commission a book titled 'Oi Mahamanab Ashey' (in two volumes) wherein he has incorporated what Bhagwanji told him. He also referred to a monthly journal 'Jayashree', of which he was the editor, where also the same issue was written about

4.15.6 The last set of witnesses making identical claim comprises Shri Durga Prosad Pandey (CW 32), Shri Srikant Sharma (CW 40) and Shri Apurba Chandra Ghosh (CW 99). The common thread that runs through their evidence is that they saw Netaji before 1945 and had meetings with 'Gumnami Baba'. While according to Shri Pandey, he met 'Gumnami Baba' when he was living in Basti in the year 1967 almost every night for about nine years, Shri Sharma claimed that he had met him in 1963 while he was in Naimisharanya as a saint. The last witness on this point, viz, Shri Ghosh testified that he had seen Netaji in Dacca in 1939 and in Kolkata several times before 1945 and again in Basti in the year 1965 while he was living as a saint there and thereafter on two occasions. He further stated that in course of his conversation Bhagwanji enquired of him (the witness) about 'Bahadur' who was a darwan in his (Netaji's) Elgin Road residence and also asked him whether he had seen a calendar with a picture of Goddess 'Kali' in the room.

4.15.7 Apparently, there is no reason for not acting or relying upon the evidence of the last two categories of witnesses particularly of the category who had seen Netaji before 1945 and also met Bhagwanji / Gumnami Baba face to face on a number of occasions, more so when their evidence regarding the frequent visits of some freedom fighters,

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eminent politicians and former members of INA on January 23 and during the Durga Puja festival is supported by the fact that letters written by some of them including Prof. Samar Guha, Dr. Pabitra Mohan Roy and Ms. Leela Roy were found in 'Rambhawan'. But, as the discussion to follow will unfold, there are other formidable facts and circumstances on record which stand in the way of this Commission in arriving at a conclusive finding that Bhagwanji / Gumnami Baba was none other than Netaji.

4.15.8 It cannot be denied that a reliable piece of documentary evidence in support of the ocular version of the witnesses referred to earlier could have been furnished if photographs of Bhagwanji / Gumnami Baba were taken by those persons who claimed to have interacted with him face to face on a number of occasions since 1963 and an opportunity given to this Commission to compare the same with the admitted photographs of Netaji.

CW 91, CW 94, CW 96 and CW 97 have filed a joint statement along with others (supported by an affidavit) in response to the public Notification issued by this Commission asserting that Netaji did not die in a plane crash on August 18, 1945 but they were conspicuously silent about the entire episode of Netaji's living in disguise as a saint long thereafter, even though they could have furnished proof in support of their assertion. So far as the remaining witnesses, who testified that Bhagwanji / Gumnami Baba was Netaji, are concerned, they did not even file any statement before this Commission in support of their such claim.

It does not stand to reason that when an inquiry was being held by the Khosla Commission (1970-74) to ascertain whether Netaji was alive or he had died in the plane crash and Shri Gupta knew for certain that Netaji was alive he would not divulge that



- fact to the Commission at least (if not to others) during its hearing in Delhi, Taihoku and other places which he attended..The explanation that he offered for his such unusual stance was that he was under an oath of secrecy against its disclosure but it is extremely difficult to rely on that explanation, more so when he has now divulged that fact inspite of that oath.

4.15.9 The reports of the experts to whom the handwritings appearing in some books and journals found in 'Rambhawan' were sent for comparison with the admitted handwritings of Netaji materially differ. While one of them viz. Shri B. Lal, Ex-Government Examiner of Questioned Documents, New Delhi (CW 119) has given a firm opinion that those (both Bengali & English) were of Netaji, Shri Amar Singh and Shri M. L. Sharma (CW 121) of the Office of the Government Examiner of Questioned Documents, Government of India, Simla, who have filed a joint report, and Dr. S. K. Mondal of Forensic Science Laboratory, Government of West Bengal, Kolkata (CW 120) have given a contrary opinion. Such divergent opinion and absence of any evidence from any person conversant with the handwriting of Netaji that the questioned writings were of Netaji is another impediment to the safe acceptance of the oral version given in this regard.

4.15.10 Five teeth out of nine, found in 'Rambhawan' along with samples of blood collected from two descendants on the father's side and three descendants on the mother's side of Netaji were sent to the Central Forensic Science Laboratory, Kolkata for DNA profiling test to fix the identity of the person to whom the teeth belonged. After subjecting three of the five teeth to the above test Dr. V.K. Kashyap, DNA Expert and Director of the Laboratory submitted a detailed report with the following opinion:

"From the morphological examination and analysis of SRY gene, mtDNA (HVS I & HVS II), and Y-STR loci in the forwarded Exhibits 1-10, it can be concluded that forwarded teeth - (Exhibits 2 to 4 ) belong to a single human aged male individual - (alleged Gurnami Baba). The individual - source of the teeth does not belong to either maternal or paternal DNA lineage of Netaji Subhas Chandra Bose , therefore, can not be of Netaji Subhas Chandra Bose."

4.15.11 He was thereafter examined by this Commission as CW 126 in course of which his report was exhibited ( Ext. 222 A). He was cross-examined at length by some of the deponents to bring home their point that no reliance could be placed on his opinion but their attempt failed. Since the report categorically states that all the teeth belonged to a single human aged male individual and since except Gurnami Baba, the only other aged member who stayed with him all along was Sm. Saraswati Devi Shukla , the negative finding recorded by Dr. Kashyap quoted earlier also militates against the eyewitnesses' account.

4.15.12 In line, in absence of any clinching evidence to prove that Bhagwanji/Gurnami Baba was Netaji the question whether he (Netaji) died in Faizabad on September 16, 1985, as testified by some of the witnesses, need not be answered.

★ दिनेश सोमरा. By 8 Oct 2010  
 दिनेश सोमरा (अधीन) केन्द्रित न्यायाधीश  
 23/10/2010 - 11/3/2011

Vinod K. Reddy, member - Joint of Director - Hyderabad



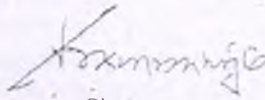
## Chapter Five

### Conclusions

5.1 In view of and in conformity with the preceding discussion the response of the Commission to the terms of reference, seriatim, is as follows :-

- ✓ (a) Netaji Subhas Chandra Bose is dead;
- ✓ (b) He did not die in the plane crash, as alleged;
- ✓ (c) The ashes in the Japanese temple are not of Netaji;
- 9 (d) In absence of any clinching evidence a positive answer cannot be given;  
and
- (e) Answer already given in (d) above.

5.1.1 As regards the ancillary query (vide paragraph 3 of the Notification) the Commission is of the view – consequent upon its above findings – that in undertaking the scrutiny of publications touching upon the question of death or otherwise of Netaji, the Central Government can proceed on the basis that he is dead but did not die in the plane crash, as alleged.

  
Chairman

Kolkata  
November 07, 2005





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Annexure-A

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The Magistrate or Commissioner of Oath or Authority legally empowered to collect affidavits, when the affidavit is sworn, shall make endorsement therein in the following manner:-

"Sworn before me by the deponent who is identified to my satisfaction by \_\_\_\_\_ or is personally known to me. The affidavit has been read out in full to the deponent who has agreed it after examining it to be correct, on this the \_\_\_\_\_ day of \_\_\_\_\_ 1977" (Signature of the Magistrate.)

The affidavit must state the occupation and the ordinary place of residence/abode of the deponent. If considered necessary, the deponent may file along with his affidavit a list of witnesses.

If the affidavit is in a language other than English, it shall be accompanied by a translation thereof in English duly authenticated by an advocate or a Magistrate.

It may be noted that the proceedings before the Commission are judicial proceedings within the meaning of Sections 193 & 229 of Indian Penal Code (Act XLV of 1860).

All statements, accompanied by affidavits, furnished in the manner stated above may within the time prescribed, may be addressed to:

Secretary  
Justice Mukherjee Commission of Inquiry  
11A Muzra Ghosh Street, 7th floor, Block "B"  
(South side of the old building)  
Calcutta 700 087

BY ORDER OF THE COMMISSION, OF INQUIRY

P.K. Sengupta  
Secretary  
Justice Mukherjee Commission of Inquiry, Calcutta.

Annexure-A/1  
(collectively)

PRIVATE SECRETARY'S OFFICE

No. 915/11 C2/2000-Pol.

21<sup>st</sup> September, 2000

To,

Shri P.R. Sengupta, WBILIS (Retd.),  
Secretary,  
Justice Mukherje Commission of Inquiry,  
(B' Block 3<sup>rd</sup> Floor),  
11/A Mirza Ghalib Street,  
Calcutta - 700027.

22/9/2000  
cel 4-05

Sir,

1. I am directed to refer to your letter No. JMCI Records ND/99-2000/37/230 dated 25.8.2000/4.9.2000 and to state that no order as such regarding destruction of files/documents could be located. However the relevant page of the File Register showing destruction of the file in 1972 is enclosed. There is also a note at p.151/C of File No. 2(64)55-70-PM (Vol.V) about the destruction of the file in question. (photo-copy of the file has already been sent to JMCI vide letter of even number dated 4.7.2000). A copy of the page is enclosed for ready reference.

2. As regards destruction of documents while recording the File No. 23(156)51-PM a copy of the documents destroyed has been kept in that file (photo-copy of the file has already been sent to the Commission vide letter of even number dated 4.7.2000).

cr-168-167

Yours faithfully,

*Archana Ranby*  
(Archana Ranby)  
Director



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Subject.

Ratio of  
Supply.

Notification of the Treaty of  
Cession of the French Establishments  
of Pondicherry, Karikal, Mahe and  
Yanaam

124, 1001.

National Film Board and Film Finance Corporation - Establishment of.

4120

Construction of a Hotel in the  
Diplomatic Enclave by Ashoka Hotels Ltd.

Carniel over 16  
1957

Industrial Relations Bill, 1984.

National Book Trust - Establishment  
of an Autograph.

۱۵۰

Construction of a Central Conference Hall in New Delhi.

Recorded - 341  
 PH J-62

Law relating to Copyright+Legislation  
for amending and consolidating the -

- 131 -

Indian Citizenship Bill.

منہا لے کر

Honorary Board to the workers of  
Sankhal Fertilizer Factory.

das

Coal Miners - New Housing Scheme for-

Das Loch ist  
31 cm hoch

Indian Delegation to H.R.H. the Duke  
of Edinburgh's Conference on the  
compatibility of industry.

Storage - 10:21  
 210  
 210

Investigation into the circumstances  
leading to the death of Shri Subhash  
Chander Bose.

100

Loan of \$ 1.25 given granted by the U.S. Govt. to M/S. John J. & S. for a Soda Ash and Ammonium Chloride factory in U.S. - objection raised by the Central Govt. about the grant of ~

2-2-20

Continuance of grants in aid granted under article 278 of the Constitution to the Port of Spain after the re-consecration of State.

Antony & Co.

1954-1955, 1956-1957, 1958-1959, 1960-1961, 1962-1963, 1964-1965, 1966-1967, 1968-1969, 1970-1971, 1972-1973, 1974-1975, 1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 2644-2645, 2646-2647, 2648-2649, 2650-2651, 2652-2653, 2654-2655, 2656-2657, 2658-2659, 2660-2661, 2662-2663, 2664-2665, 2666-2667, 2668-2669, 2670-2671, 2672-2673, 2674-2675, 2676-2677, 2678-2679, 2680-2681, 2682-2683, 2684-2685, 2686-2687, 2688-2689, 2690-2691, 2692-2693, 2694-2695, 2696-2697, 26

20/10/2010

Directorate General of Supplies and  
Procurement for Pharmacy of Moscow.

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Annexure-A/2  
(Collectively)

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Please check what files  
on the subject there are in  
Political Section

S.D. Khan.  
3.7.72

17  
P.M.

2

The only files available in  
this Section, on the subject, are placed  
below. There was another file bearing  
No. 12/226/56. P.M. with the subject's  
Investigation into the circumstances  
to the death of Shri Sukhdev Chandra  
but this was destroyed on 6-3-72 during  
the process of recording

SSA  
6/7

(Vol. I + II only of the file placed below contain  
papers pertaining to Shri Sukhdev's case.)

SSA

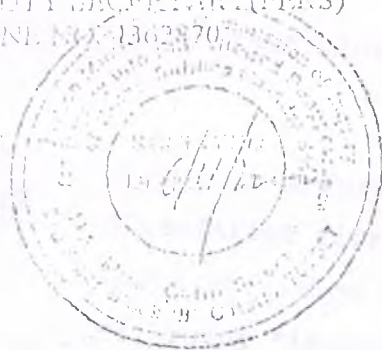
Thanks.

10.7.72

S.D. Khan  
16.7.72



P.K. MATHUR  
DEPUTY SECRETARY (PERS)  
PHONE NO. 1362 70



Annexure-1/2

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D.O. No. 15/11/99-Pers. 5-4892  
Government of India  
Cabinet Secretariat  
Room No. 7  
Dikaner House (Annex)  
Shalajahan Road  
New Delhi, the 31 OCT 2000

Please refer to the correspondence resting with my DO letter of even number dated 13.09.2000 regarding records relating to Netaji Subhas Chandra Bose and/or INA.

2. We have since received a copy of the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000 & 23.09.2000 (copy enclosed for ready reference) of Justice Mukherjee Commission of Inquiry directly from the Secretary of the Commission for compliance.

3. As mentioned earlier, our Organization has no records relating to the events as it was formed only on September 21, 1963.

4. In view of above, it is felt that no further action from our Organisation is called for so far as the proceedings of the Commission are concerned. This aspect may kindly be confirmed.

Encl: 1

Yours

(P.K. MATHUR)

Shri A.K. Paitandy,  
Director (IS-1),  
Ministry of Home Affairs,  
North Block,  
New Delhi 110 001.

Copy to : Shri P.K. Sengupta,  
Secretary  
Justice Mukherjee Commission of Inquiry  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street,  
Calcutta 700 087.

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9

Prof. SAMAR GUHA,  
MEMBER OF PARLIAMENT  
(LAL BAHADUR SHASTRI)

Sno. S No 82



27, South Avenue, 13  
NEW DELHI-11.  
Annexure-A/3  
(Collectively)  
3rd January, 1975

Dear Prime Minister,

S. No. 79

x S. No. 75

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have me  
will?  
by

4.1.75

In continuation of my letter dated 21st December, 74. I have to inform you further that the 'Prime Minister Secretariat files' which have been sent to Netaji Inquiry Commission show that a very vital document, No.12(226)/56-P! regarding "Investigation into circumstances leading to the death of Subhash Chandra Bose" has been destroyed.

I am enclosing herewith a copy of the notings over the files.

I don't know whether such a vital file has been destroyed or withheld. I would request you to investigate into the matter and find out whether the files mentioned in my earlier letter to you as also about one in it, have really been destroyed and if so, the reasons thereof. I hope you will consider it essential that these vital files should be forwarded to the Netaji Inquiry Commission, for arriving at a correct conclusion about the matter relating to disappearance of Netaji Subhash Chandra Bose.

I am expecting replies to my letters addressed to you in connection with Government files supplied to the Netaji Commission.

With kind regards,

Yours sincerely,  
Samar Guha  
(SAMAR GUHA)

Smt. Indira Gandhi,  
Prime Minister of India,  
NEW DELHI.

p-24 (N)  
a. 2-85



Annexure-A/3  
(collectively)

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Prime Minister's Secretariat File

23(159)/5A-PH

23(1A)56-57-PH

12(226)/56-PH  
(written in  
pencil - since  
destroyed)

2(67)/56-PH

2(321) 60-62 PH

- Indian National Army (INA) in the Far East.
- I.N.A. Treasure.
- Investigation into the circumstances leading to the death of Subhash Chandra Bose.
- Widow and daughter of Shri Subhash Chandra Bose  
M.Sc. Correspondence with and about.
- Proposal to bring Shri Subhash Chandra Bose's  
Ashes from Tokyo and to put up memorial to him  
in front of Red Fort in Delhi.

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Annexure-A/3  
(Collectively)

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No. 11-2100/74.

Ben Dolhai,  
January 9, 1974.

Dear Shri. Guba,

I have your letter of the 3rd January regarding the files supplied to the Hotsagi Inquiry Commission.

A misunderstanding seems to have arisen about the file that has been destroyed because of the subject heading given to it. I can assure you that this file contained only copies of certain documents which are still available in other files. This file was destroyed only because it contained copies.

I received your letter of the 31st December also. But since it mainly concerned the Ministry of Home Affairs, I passed it on to my colleague, the Home Minister, with a request to send you a reply.

Yours sincerely,

(Madira Chakral)

Shri. Ganga Guba, H.P.,  
87, South Avenue,  
New Delhi-210011.



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F 56 (1)

133

Annexure-A/4  
(Collectively)

FOR RELEASE ON SUBHAS CHANDRA BOSE

1. Virtually all British records relating to Subhas Chandra Bose, which are more than 30 years old, have been released at the Public Record Office and at the British Library.

2. Public Record Office: See attached list for 1945-47.

3. British Library: See attached note. This is a collection of 1913-1947 files of the Indian Political Intelligence Organisation (IPI) in the series L/P & J/12 Public and Judicial Department (Separate). Released August 1997.

4. The only papers which remain closed are:

a few papers in the files of the Intelligence and Security Agencies which do not add to the substantive account in the IPI Office collection. These Intelligence records are withheld from release with the approval of the Lord Chancellor, in accordance with Section 3(4) of the Public Records Acts;

one paper from the IPI collection which is retained on grounds of continuing personal sensitivity.

(164)

(173)

F 54(11)

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Annexure-A/4  
(Collectively)

INDEXED IN THE PUBLIC RECORD OFFICE ON SUBHAS CHANDRA BOSE  
1947

NO 202/515	Apr 1945	Japanese-Indian Forces Command: guide to activities
"	516 Aug 1945	Japanese-Indian Forces Command: supplementary guide to Indian National Army in Malaya
"	2298 Aug 1945	Malaya: disposal, status, brief history of Indian National Army
"	4673 Aug-Dec 1945	Indian National Army
NO 209/804A	Nov 42- Nov 45	Indian traitors, fifth columnists trained by Japanese: Indian Independent League: Indian National Army: some of various organisations employed by Japanese for espionage, sabotage, propaganda: reports on activities: British counter measures
NO 208/3812	1942-7	Subhas Chandra Bose: activities and death
FO 371/56774	1946	Indian-Soviet relations (N277/136/36 press article).



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JUSTICE HIRONO KUMAR MUKHERJEE  
(Former Judge, Supreme Court of India)  
CHAIRMAN  
JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
Formed under the Jammu and Kashmir  
NELAJE SUBHAS CHANDRA BOSE  
10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

T. S. (11)  
Annexure-A/5  
(Collectively)

D.O.NO. JMC/CHAIRMAN'S CORRESPONDENCE/2000-01/71/541

January 31, 2002

Dear Sir,

Please excuse me for this belated response to your letter dated December 1, 2001 which reached my hands on December 26. I am extremely grateful to you for the trouble you have undertaken to make available to our Commission some of the confidential and classified files of the Intelligence and Security agencies following my personal request to you during our last visit to London.

The files mentioned in the letter dated December 1, 2001, addressed to you by the Rt Hon'ble The Lord Irvine of Lairg, were minutely studied by us during our afore-said visit to London and steps have already been taken to obtain micro-films / micro-fiches of the relevant papers in the above two files, besides others. The letter of Lord Irvine further indicates that a few relevant papers from the files of Intelligence and Security agencies are being retained by those agencies with his approval but those papers do not contain any additional information relating to Subhas Chandra Bose's death. Nonetheless, those papers in the retained files may, hopefully, furnish some materials regarding the alleged disappearance of Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in that regard. May I, therefore, request you to kindly impress upon Lord Irvine to give us an access to those retained papers.

I once again thank you for the cooperation and assistance extended by you to the Commission and sincerely hope that the Commission will get similar assistance and cooperation from you in future also.

With personal regards  
Yours sincerely,  
[Signature]

The Rt. Hon'ble The Lord Archer of Sandwell, Q.C.  
Hetherall,  
1111 View Road, Wraysbury, Staines  
Middlesex  
TW19 5LQ  
London

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FROM THE RIGHT HONOURABLE THE LORD IRVINE OF LAIRG

56 (1)

Annexure-A/5  
(Collectively)

HOUSE OF LORDS

LONDON, 14 DEC 1991



The Rt. Hon. The Lord Archer of Sandwell, Q.C.  
Highcroft  
Hill View Road  
Wraysbury  
Staines  
Middlesex TW19 5EQ

1 December, 2001

Dear

Peter.

Thank you for your letter of 29 September, in which, following our earlier discussion on the matter, you outlined the history of the events surrounding the death of the Indian independence campaigner, Subhas Chandra Bose. You asked for my help with the retrieval of files relating to these events.

I have looked into this thoroughly and consulted the Keeper of Public Records. I understand that all the material on Subhas Chandra Bose, previously retained by the Cabinet Office and the Foreign and Commonwealth Office, has been passed to the Public Record Office and is open for public inspection. The India Office at the British Library also holds a number of files on this subject. These records were originally closed for longer than thirty years but have recently been opened, with one exception which is closed on the grounds of continuing personal sensitivity and, I am informed, does not relate to the circumstances of the death of Subhas Chandra Bose.

A few relevant papers from the files of the intelligence and security agencies are retained by those agencies, with my approval; however, these papers do not contain any additional information relating to Subhas Chandra Bose's death that is not in the files available at the Public Record Office or the British Library. They are retained as a matter of principle, because the peacetime files of the intelligence and security agencies are not released, rather than because of their particular content.

Of the records that are open to the public at the Public Record office, you may know that the following two are of particular relevance:



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Annexure-A/5  
(Collectively)

Foreign Office, Political Departments, General Correspondence:  
Investigation into the death in an air crash in Formosa of Subhas Chandra Bose,  
leader of Indian National Army during Second World War, FO371/121012

War Office, Directorate of Military Operations and Intelligence: Subhas  
Chandra Bose: activities and death, WO 208/3312

In view of the accessibility of these files, a meeting with Mr Justice Mukherjee and  
Mr Sengupta does not appear to me to be necessary. You are free to show this letter  
to the Judge.

Yours ever,

Sevvy.

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F. 54(1)



House of Lords  
London SW1A 0PW

Annexure-A/5  
(collectively)

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To Justice Rotherjee  
Commission of Inquiry

8th December 2001

My Judge,

I am sorry that it has taken so long to obtain an answer from the Lord Chancellor to our request. But I needed to wait until the end of the Recess, since he was anxious that I should send the letter to him personally, rather than through his Department.

I enclose a copy of his reply.

As you see, he says that all the files in the India Office are available with one exception, and gives an assurance that this does not relate to the death of Bose.

There are also some files with the Intelligence and Security Agency, but again States that they contain no information which is not already available.

I do not know whether the two specific files which he mentioned have been read by yourself or by Mr Sengupta. But I do not think that the confidential files which he mentioned will be made available. If the British Government were minded to dissimulate, they need not have told us of their existence. For myself, I accept the assurance that they do not contain any information which is not available already.

If I can assist further, please let me know.

Kudens

Yours faithfully



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01784 483136

F. 70



House of Lords  
London SW1A 0PW

Annexure-A/5  
(collectively)

Highcroft,  
Hill View Road,  
Wraybury,  
Staines,  
Middlesex,  
TW19 5BQ

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Sr Justice N K Mukherjee  
Commission of Inquiry  
Netaji Subhas Chandra Bose  
'B' Block, 3rd Floor  
11/A Mirza Ghalib Street  
Kolkata 700087  
India

3rd May 2002

1001/481  
25/5/02

*Dear Judge,*

Please forgive me for the delay in responding to your last letter.

I have been discussing the situation relating to the files which have still been retained, but I fear that my powers of persuasion have not secured their release.

Peacetime files of the Intelligence and Security agencies are not released because the release of any one would create a precedent, and it would be very difficult after that to maintain the integrity of the general rule.

As for the one paper retained by the India Office Library, I think that privately I can guess the nature of the personal sensitivity involved, and if I am right, it does not relate in any way to Subhas Chandra Bose.

If you and the Government of India consider it essential to take this forward, I can only suggest that there may be greater success if diplomatic representations were made between governments.

I really am sorry not to be more helpful.

S.O.  
PL. fm  
with  
25/5/02

*Yours sincerely,*  
*P. C. O.*

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Annexure-2A/6

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25/11/02  
at 12-30 PM



विदेश मंत्री

भारत

MINISTER OF EXTERNAL AFFAIRS  
INDIA

DO No.25/4/NGO - Vol.VIII

13 November 2002

Dear Justice Mukherjee,

I write with reference to the discussions during our meeting on 20<sup>th</sup> October.

I have checked the position regarding the hitherto classified papers with the Government of UK, which the Commission would like to access. As you are aware, our High Commission in London had taken up the matter with the Foreign & Commonwealth Office who had conveyed that the papers in question had been withheld with the approval of the Lord Chancellor and that they do not add to the substantive account of the circumstances of Netaji Subhas Chandra Bose's death that is given in the files available at the British Library. They had further stated that these papers have been withheld because the peacetime files of the intelligence and security agencies are not released as a matter of principle, and not because of their particular content.

However, since the Commission feels that these papers could be of vital importance with reference to its mandate, we have again taken up the issue of their release with the British Government and would keep you informed of the outcome in this regard.

I would like to take this opportunity to reassure you of all possible assistance from our side to facilitate the inquiry of the Commission.

*With regards,*

Yours sincerely,

*Yashwant Sinha*

(Yashwant Sinha)

Justice Monoj Kumar Mukherjee  
Chairman, Justice Mukherjee Commission of Inquiry  
'B' Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street  
Kolkata - 700 087



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Encl. 1

Annexure-A/7

Foreign &  
Commonwealth  
Office  
King Charles Street  
London  
SW1A 2AL

Tel: 020 7008 2945  
Fax: 020 7008 3258

22 May 2003

Vikas Swarup  
Counsellor (Political)  
The High Commission of India  
India House  
Akhvych  
London  
WC2B 4NA

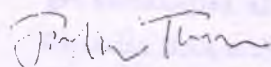
Dear Vikas

Thank you for your letter dated 30 April about official records on Subhas Chandra Bose. I am sorry that this was overlooked whilst I was in India.

I have again made enquiries of our Records and Historical Department (RIID) and they confirm that our position remains unchanged as set out in Iain Lindsay's letter of 14 December 2001 to Mr Puri. Virtually all records that are more than 30 years old have been released to the Public Record Office or the British Library. A few relevant papers from the files of the intelligence and security agencies are withheld (with the approval of the Lord Chancellor in accordance with the Public Records Acts). These papers do not add to the substantive account of the circumstances of Subhas Chandra Bose's death that is given in the files available at the British Library. They are withheld as a matter of principle, because the peacetime files of the intelligence and security agencies are not released, rather than because of their particular content. In addition, one paper from the files available at the British Library is withheld on the grounds of continuing personal sensitivity.

I am sorry that I am not able to say anything more helpful on this.

Yours sincerely



Jonathan Thomson  
Head of India Section  
South Asia Department

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Annexure - A/8

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
For INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
"B" Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata - 700 087**

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2766  
Office - 252-2766/68

**Fax No.  
2522765**

**NO. JMCI/DOC(FOR) 99-2000-56(IV)/398**

e-mail :  
jmcinseb@cal.3 vsnl.net.in

November 11, 2002

**From : Shri P.K. Sengupta,  
Secretary.**

**To  
Shri Vijay Gokhale,  
Joint Secretary (CNV)  
Ministry of External Affairs,  
Government of India,  
South Block,  
New Delhi - 110 001.**

**Sub : Documents, records, files etc. relating to and/or having relevance to the points of Inquiry which are in the possession or under the control of the Governments of the U. K., the U.S.A., the Russian Federation and the other States which were within the erstwhile USSR, Japan, Vietnam, Taiwan, Thailand, Malaysia, Singapore, Germany, Ireland etc.**

Sir,

Apropos the Hon'ble Chairman's discussions with the Hon'ble Minister of External Affairs, Government of India, on October 28, 2002 in New Delhi, I am directed to request you to take appropriate action so that the Government of U. K. may be closely pursued by the Ministry of External Affairs, Government of India, to get declassified all relevant classified British documents relating to Netaji Subhas Chandra Bose and/or INA which are in the possession and/or under the control of the Government of U.K.



I am further directed to request the Ministry of External Affairs, Government of India to take necessary effective steps to persuade the Governments of the USA, the Russian Federation including all other States which are now sovereign, but previously within the erstwhile USSR, Japan, Thailand, Malaysia, Singapore, Vietnam, Taiwan, Germany, Ireland etc. to make available or accessible to the Commission at their earliest convenience all documents, classified/declassified/unclassified, containing evidence/materials relating to and/or having relevance to the points of the inquiry, which are in the possession and/or under the control of the aforesaid Governments and/or are in the various Archives of those countries.

As regards Russian documents relating to Netaji Subhas Chandra Bose, I am directed to invite your notice to the d.o. letter No. 25/4/NGO-Vol. VI dt: October 1, 2001 of the then Director (CNV), Ministry of External Affairs, forwarding therewith some documents said to have been received through the Indian Mission in Moscow from different Archives in the Russian Federation. The documents sent along with aforesaid d.o. letter dt : October 1, 2001 included one unofficial translation of a note bearing No. 142/3/DA dt : 28<sup>th</sup> June, 2001 of the Ministry of the Foreign Affairs of the Russian Federation addressed to the Embassy of the Republic of India, Moscow. From that note it appears that the documents forwarded along with the above-quoted d.o. letter dt : October 1, 2001 pertain to the following Archives :

- a. The State Archives of the Modern History ;
- b. The Archives of R. F. External Intelligence Service,
- c. Archives of the Foreign Policy of the Russian Federation.

In the said note dated 28<sup>th</sup> June, 2001 of the Ministry of Foreign Affairs of the Russian Federation it was further stated that the following Archives were found to contain no documents concerning Netaji Subhas Chandra Bose.

1. The Central Archives of FSB of Russia,
2. The Central State Archives of R.F. Defence Ministry,
3. The Russian State Library,
4. The State Archives of the Russian Federation,
5. The Russian State Military Archives and
6. The Russian State Historical Archives of the Far East.

I am further directed to request you to kindly refer to your d.o. letter No. 25/4/NGO-Vol. VIII dt : October 21, 2002 and its enclosure i.e., the list of eight Archives, as received by the MEA from the Indian Mission in Moscow, and to say that the list sent along with your above-quoted d.o. letter dt: October 21, 2002 does not prima facie appear to be exhaustive in-as-much as this list does not contain the names of four (4) Archives out of the nine (9) Archives mentioned in the aforesaid note dated June 28, 2001 of the Ministry of Foreign Affairs, of the Russian Federation, a copy of which was received along with the d.o. letter dated October 1, 2001, referred to earlier in this letter. These four (4) Archives are :-

- a. The Archives of RF External Intelligence Service ;
- b. The Russian State Library ;
- c. The Russian State Military Archives ;
- d. The Russian State Historical Archives of the Far East.

As regards the list of Archives received along with your d.o. letter dt : October 21, 2001 and further state that neither any documents nor any report in respect of three (3) out of eight Archives named in the list has yet been received. These three Archives are :-

- a. Russian State Archives of Socio Political History (Sl. 2 of the list).
- b. President's Archive (APRF) (Sl. No. 4 of the list).
- c. Russian State Archives of Audio-Photo Documents (Sl. No. 8 of the list).



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Annexure - A/8

I am to further request you to refer to the Commission's letter No. JMCI/DOC(FOR)/99-2000/56/27 dt: April 17, 2001 forwarding therewith a copy of the list of the Archives of the Russian Federation and also the other States, which were within the erstwhile USSR, as furnished by Dr. (Mrs.) Purabi Roy and the Commission's letter No. JMCI/DOC(FOR)/99-2000/56/(IV)/348 dt : September 27, 2002 calling for a complete list of the names and address of all the Archives in the Russian Federation as also of the other States, which were previously within the erstwhile USSR. I am directed to say that no document or report in respect of a number of Archives in the aforesaid list of Archives furnished by Dr. (Mrs.) Purabi Roy has yet been received. I am to further bring to your notice that a comprehensive list of Archives, as called for the above-quoted Commission's letter No. 348 dt: 27 September, 2002 is yet to be received from your end.

I am, therefore, directed to request you to kindly expedite reply to these letters.

Yours faithfully,

Sd/-  
(P. K. Sengupta)  
Secretary

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A/8

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 Purabi  
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 's letter

To  
 the Secretary  
 Hon'ble Justice Mukherjee Commission of Inquiry  
 Kolkata

Sir,

Pursuant to our demands in page 127 of our petition for collection of documents from abroad, the Honourable commission is hereby urged upon to visit U.S.A, U.K and Germany for the reasons stated as under :

1. England: In reply to Mr. Amalendu Guha's letter to Tony Blair in 1998, The Foreign and Commonwealth office, London, informed that all relevant papers on the treatment of Netaji and other members of I.N.A would be found in Vol. VI of the Transfer of Power, Public Record Office, London and the British Library. In view of the same, the commission should examine documents relevant to its terms of reference especially Mountbatten's diary and all other papers on Netaji categorized as 'Top secrets' in the national archives of England. Also the Anglo-American Intelligence reports have to be scrutinized in this connection.
2. U.S.A : The Hon'ble commission should visit U.S.A to examine
  - a) communication between Mearther and Mountbatten
  - b) U.S Naval intelligence report regarding Netaji's activities from the 17<sup>th</sup> August to the 25<sup>th</sup> August 1945
  - c) communication from General Mearther to the U.S President Truman from the 17<sup>th</sup> August to 31<sup>st</sup> 1945
  - d) Documents in the Princeton University especially Louis Fischer's communication to Gandhi, Khurshed Naoroji, the U.S President, the Prime Minister of England and other prominent Political personalities in regard to Netaji and India's independence, and the response thereto.
  - e) Elliot Erikson's article of February 1954 published in National Republic- a monthly magazine of Fundamental Americanism which says ' There is a strong possibility that Bose is alive'.
  - f) C.I.A documents of 1946 which states that there is no information of Bose's alleged death and C.I.A Document of 1964 expressing concern for the possible return of Netaji and its impact on the Nehru Government.
3. Germany : The Hon'ble commission should visit Germany for examining German military intelligence documents in light of an article entitled 'Babu Bose : Man behind the front ' published in a German intelligence magazine, Interpress on 28.10.1949.

Yours faithfully,

( Nandlal Chakrabarti, Petitioner No. J.M.C.I- 11 )

1.11.2002



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Annexure-A/10  
(Collectively)

MINISTRY OF EXTERNAL AFFAIRS  
NEW DELHI

Vijay Gokhale  
Joint Secretary (CNV)

D.O. No. 25/4/NGO-Vol.IX

Dated April 22, 2003

Dear Shri Sengupta,

Please refer to the Commission's letter No. Doc(For)/99-2000-56(IV)/390 dated 11.11.2002 relating to the archives in Russia. In this connection, I am enclosing herewith a copy of the reply received from the Russian Ministry of Foreign Affairs through our Embassy in Moscow.

2. With reference to your letter No. JMCI/Overseas/Witnesses/2000-01/70/433 dated 27.11.2002 regarding inter alia documents relating to Netaji Subhas Chandra Bose in the USA, forwarded herewith is the response from the National Archives of USA and Records Administration, Maryland. Our Mission in Washington is following up with the other institutions mentioned by the National Archives of USA. Also, as suggested by this institution, we have asked our Mission in London to check with the British Public Record Office regarding availability of records pertaining to the communication between General Mac Arthur and Lord Mountbatten on Netaji.

3. With reference to your letter No. Doc(For)/99-2000/56(IV)/620 dated 31.3.2003, I would like to inform that our Post in St. Petersburg has been reminded to send the desired report.

4. Please also refer to your letter No. Overseas/Witnesses/2002-03/70(Vol II)/621 dated 1.4.2003. As desired by the Commission, the two letters have been forwarded to Moscow and St. Petersburg, respectively. As regards the Commission's request for taking up the matter with the Government of Russia of access to the archives of the Federal Security Bureau, we would like to draw your attention to the note verbale dated 28<sup>th</sup> June, 2001 from the Russian Ministry of Foreign Affairs (copy forwarded with our letter No. 25/4/NGO-Vol.VI dated 1.10.2001) which states that there are no records in this archive relating to Netaji Subhas Chandra Bose. In this connection, we are enclosing another note verbale dated 20<sup>th</sup> March, 2003 from the Russian Ministry of Foreign Affairs reiterating the same position. In view of this, it is felt that another reference to the Russian Ministry of Foreign Affairs on the same issue will not be of much use.

5. As desired by the Commission, we have asked our Embassy in Moscow to check with the witnesses indicated in the enclosure to the Commission's letter dated 1.4.2003 about their willingness to be examined by the Commission, and modalities of such examination.

Yours sincerely,

*Vijay Gokhale*  
(Vijay Gokhale)

Shri P.K. Sengupta  
Secretary  
Justice Mukherjee Commission of Inquiry,  
'B' Block, (Third Floor),  
11/A Mirza Ghalib Street,  
Kolkata 700 097

Encls: As above

178 187

National Archives and Records Administration

Annexure-A/10  
(collectively)

March 13, 2003

S. K. Behera  
Counsellor  
Embassy of India  
(Chancery)  
2107 Massachusetts Ave. N.W.  
Washington, DC 20008

Dear Dr. Behera:

I am responding to your letter to Ms. Patrice Murray of March 10, 2003, regarding Subas Chandra Bose and the records at the National Archives and Records Administration at College Park, Maryland.

We could not locate any communications of General MacArthur with Lord Mountbatten and President Truman regarding Mr. Bose. It is possible that the Truman Presidential Library, the MacArthur Memorial Library, and the British Public Record Office would have copies of the correspondence you requested. Their addresses are:

MacArthur Memorial Library  
MacArthur Square  
Norfolk, VA 23510

Harry S. Truman Library  
500 West U.S. Highway 24  
Independence, MO 64050-1798

Public Record Office,  
Kew  
Richmond, Surrey  
TW9 1DU  
United Kingdom

We also could not locate a U.S. Navy intelligence report regarding Bose's activities from August 17 to 25, 1945. We did, however, locate a U.S. Army intelligence report indicating that he died at approximately 9pm on August 18, 1945; that he was cremated on August 22 or 23, 1945, and that the remains arrived in Tokyo, Japan on September 6, 1945. We are enclosing a copy of this report which is File Number 211203 of the Formerly Security-Classified Numerical Series of



179 188

Annexure-A/10  
(Collectively)

148A

Service Documents ("ID File") June 1944-1955 (Entry 85A), Records of the Administrative Division of the Army Chief of Staff, Intelligence (G-2). These records are part of the Records of the Army Staff (Record Group 319) and were declassified in fiscal year 1974.

You will need to contact Princeton University for archival records they have and the Library of Congress and some other large library for the 1954 article that appeared in the magazine *National Republic*.

For Central Intelligence Agency (CIA) records regarding Mr. Bose you will need to contact that agency at:

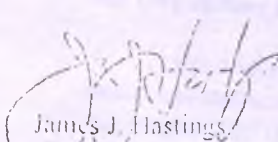
Information and Privacy Coordinator,  
Central Intelligence Agency  
Washington, D.C. 20505.

The records of the Central Intelligence Agency's predecessors, the Office of Strategic Services (1942-1945) and the Strategic Services Unit (1945-1946) are held by the National Archives. We have several indexes to these records that you or your representative(s) and/or the Justice-Militancy Commission are welcome to use to identify records relating to Mr. Bose.

There are similar indexes to the Formerly Security-Classified Numerical Series of Intelligence Documents ("ID File") June 1944-1955 (Entry 85A) referenced above, as well as other military and naval intelligence records. There are undoubtedly records related to Mr. Bose in the records of the American Embassy and Consulates in India and a check of the indexes of the Central File of the General Records of Department of State (Record Group 59) indicates 7 references to him for the 1940-1949 period.

We are willing to assist the Indian Government identify records to use in our research room, but we are unable to undertake the research ourselves. For information about doing research at the National Archives, including hours, location, and procedures, please see the Research Room section of our agency's website: [www.archives.gov](http://www.archives.gov). Additionally, I have ask Dr. Greg Bradsher on my staff to answer any questions you may have regarding records and research at the National Archives. He may be reached on 301-837-1535.

Sincerely,

  
James J. Hastings  
Director

Textual Archives Services Division

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Annexure-A/11

24/6/03

Encl. 1

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8A



Annexure-A/11

Embassy of the United States of America

New Delhi  
June 23, 2003

Mr. Jayant Prasad  
Joint Secretary  
US-Canada Division  
Ministry of External Affairs  
South Block  
New Delhi

Ref: Your 1915/JS (USC) 03

Dear Jayant:

I write in reply to your letter of June 17, 2003 in which you refer to the obligation on the Government of India to provide certain information to the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose. You note that an inquiry by the Indian Embassy in Washington elicited a statement from the National Archives and Records Administration that the U.S. Embassy in New Delhi and our Consulates in India would be in possession of records bearing on the Commission's deliberations.

However, notwithstanding the belief expressed by an official of the Archives, there are no documents relevant to the period or to the disappearance of Mr. Bose in storage at either the Embassy or the Consulates in India. The policy of the Department of State is to retire almost all official records (other than on administrative matters germane to properly transactions etc.) on a regular basis with the objective of not maintaining records for a longer period than approximately two years. These records are forwarded to the National Archives for disposition and storage.

With reference to archival research at various American repositories of historical documents relevant to Mr. Bose, as identified in the letter which you have attached to your own communication, I would suggest that, as a practical matter, the Commission select an Indian scholar or graduate student working in the United States to perform such research. Such an approach might benefit



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Annexure-A/11

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both the Commission and the scholar or graduate student while keeping expenses to a minimum.

With best wishes,

Sincerely,

*AC*

Albert Thibault  
Deputy Chief of Mission

182

191

Annexure-2/12 151

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
B Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street, Kolkata-700087

☎ : 033-2252-2835, 276344  
Fax : 033-2252-2765  
e-mail :  
jmcinsecb@cal3.vsnl.net.in

D.O. No. JNCI/EO/2002-03/83(III)/93

June 28, 2004

Dear BY SPEED POST

Apropos the discussion of the Hon'ble Chairman of the Commission had with the Hon'ble Minister of External Affairs in New Delhi on 25.6.04 in course of which you, Shri Asoke Kantha, Joint Secretary (EA) & Shri R.Venu, Director (EAMO) were present, I am directed to request you to kindly take necessary action to resolve the following pending issues to enable the Commission to complete its inquiry without any avoidable delay:-

- 1) Visit of the Commission to Russia for examination of witnesses and documents in different archives of Russian Federation. The witnesses whose names and addresses are available to this Commission are as follows :-

1. Mr. E.N. Koniarov  
Sr. Research Professor  
Institute of Oriental Studies  
Academy of Sciences, Moscow
2. Mr. A. Kolesnikov  
A former Major of the Warsaw Pact
3. Mr. A.V. Raikov  
Professor  
Lipetsk State Teachers' Training University  
Russia
4. Mr. U.L. Kuznets  
Finance Academy  
Lenin Gradskii, Schosse House 49  
Room No. 392
5. Mr. A.V. Turadzeve  
Asst. Editor  
Asia and Africa Today  
Institute of Oriental Studies  
Academy of Sciences, Moscow



## Annexure-A/12

The archives in which relevant documents are according to some of the deponents before the Commission and also documents in the possession of the Commission, likely to be available, are as follows :-

- a. The archives of the FSB, previously known as KGB;
- b. Other official archives in Moscow, Paddolsk, Omsk and Irkutsk;

2) DNA test of the alleged ashes of Netaji Subhas Chandra Bose kept in Renkoji Temple.

In this connection, your d.o. letter no. 25/4/NGO-XI dated 31.5.04 and my d.o. letter no. JMCI/EO/2000-2003/83(iii)/86 dated 17.6.04 in reply thereto may kindly be referred to. It may be intimated whether the Chief Priest of the Renkoji Temple has been formally requested to make available the alleged ashes to the experts who may be appointed by the Commission for DNA test of the same. The Commission may also be informed whether any reply to such request, if made, has been received.

3) Proposed visit to Taiwan

I would request you to kindly refer to my d.o. letter JMCI/Taiwan/2003-2004/89/83 dated 15.6.04 on the subject. In that letter you had been requested to kindly obtain information on the following points from the India-Taipei Association and transmit the same to the Commission for taking further necessary action:

- a. Hotel charges for an appropriate suite for the Hon'ble Chairman of the Commission and an appropriate room for the Secretary of the Commission for three days in Taiwan;
- b. Transport charges in Taiwan;
- c. Fees of an Interpreter for interpretation from Chinese to English and vice versa.

The Commission needs the above information in order to furnish the Ministry of Home Affairs with the probable expenses of the Commission in Taiwan. It has been given to understand that the Commission will have to carry adequate fund to meet all expenditure in Taiwan. The Commission intends to visit Taiwan sometime in September 2004. As soon as the reply from you to our query regarding the probable expenses in Taiwan will be received, a detailed programme of the visit will be drawn up and sent to your Ministry and Ministry of Home Affairs.

4) To engage some suitable willing Indian scholars or students of Post Graduate class preferably of Law/History/Political Science/Economics etc. to do the job of archival research at various American Repositories of relevant historical documents on Netaji Subhas Chandra Bose

The aforesaid matter has been pending since long. In this connection I would request you to kindly refer to the second para of the d.o. letter no. 25/4/NGO-IX dated April 22, 2003 of Sri Vijay Gokhale, the then Joint Secretary (CNV) and its enclosure namely the letter dated March 13, 2003 from James J. Hastings, Director, Textual Archives Services Division, National Archives and Records Administration, U.S.A. addressed to Sri S.K. Behera, Counsellor, Embassy of India (Chancery), Washington (copies enclosed).



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Annexure-A/12

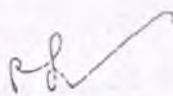
153

Subsequently, in reply to a letter dated 17.06.03 of Sri Jayant Prasad, then Joint Secretary, Ministry of External Affairs, Mr. Albert Thibault, Deputy Chief of Mission of Embassy in U.S.A., suggested that as a practical matter the Commission select an Indian scholar or Post Graduate student working in the U.S.A. to perform research work at various American repositories of historical documents relevant to Netaji. A copy of this letter dated June 25, 2003 of Mr. Thibault was received along with the d.o. no. 25/4/2003-Vol.IXQ, dated July 15, 2003 (copies enclosed). After that, the Commission in its letter no. Overseas/Witnesses/2002-2003/70(Vol.II)/188 dated 5.8.03 requested Sri Vijay Gokhale, the then Joint Secretary (CNV), to send particulars of some suitable willing Indian scholars or students of Post Graduate class preferably on Law/History/Political Science/Economics etc. indicating/suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the job of archival research at various American repositories of historical documents relevant to Netaji Subhas Chandra Bose free of remuneration for academic interest or for their love and respect for Netaji.

I am directed to request you to kindly request the Govt. of Russian Federation to give access to the Commission to the archival documents in the archives already mentioned and make the documents and records relevant to the point of inquiry available to the Commission.

An early reply will be highly appreciated.

Yours

  
(P.K. Sengupta)  
Secretary

Encls : As above

Sri L.D.Ralte  
Director (CNV)  
Ministry of External Affairs,  
Government of India,  
South Block,  
New Delhi 110 001

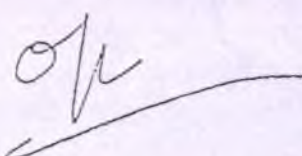
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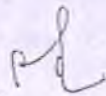
BY SPEED POST

D.O. No. JNCI/EO/2002-03/83(III)/93/1

June 28, 2004

Copy forwarded to Shri U. K. Kalra, Director (S), Ministry of Home Affairs, Government of India, North Block, New Delhi-110001 for information



  
(P.K. Sengupta)  
Secretary



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Annexure-A/13  
(Collectively)

-66-

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
B Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street, Kolkata-700007

☎ : 033-2252-2835, 2765/68  
Fax : 033-2252-2765  
e-mail :  
jmcinsecb@cal3.vsnl.net.in

D.O. No. JMCI/Oversasias-Witness/2000-01/70(III)/102

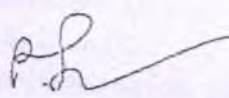
July 06, 2004

Dear

Please refer to your d.o. letter No. 25/4/NGO-XI dated June 28, 2004 regarding deputation of someone from your mission in Washington or some competent Indian scholars in the U.S.A to do the job of archival research at various American repositories of relevant historical documents on Netaji Subhas Chandra Bose. The matter has been pending since long. The information asked for by you in the above-quoted d.o. letter has already been furnished in para 4 of my d.o. letter No. JMCI/EO/2002-03/83(iii)/93 dated June 28, 2004. For ready reference a photocopy of the d.o. letter is enclosed.

I am directed to request you to kindly do the needful to expedite the matter.

Yours

  
(P.K. Sengupta)  
Secretary

Encl: As stated above.

Sri L.D.Ralte  
Director (CNV)  
Ministry of External Affairs,  
Government of India,  
South Block,  
New Delhi 110 001

Registered Post with A/D.

F. 70(III) JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

Fax : 0091-033-252-2765

REGISTERED WITH A/D.

No. JMCI/Overseas-Witness/2000-01/  
70(III)/191.

Kolkata, dated, 2nd September '04.

From : Shri M. Roy, IAS (Retd.),  
Officer on Special Duty

To : The Director (CNV),  
Ministry of External Affairs,  
South Block,  
Government of India,  
New Delhi-110001.

S i r,

I am directed to refer to your statement regarding para 4(c)(iv) of the Commission's Status Report for June, 2004 and to state that the Joint Secretary (CNV) was requested by Commission's letter No. JMCI/Overseas-Witness/2002-2003/70(II)/188 dated 05.08.2003 to send particulars of some suitable Indian scholars/students of Post Graduate class available in the USA indicating/suggesting the rate of remuneration, if any, acceptable to them, unless they agree to do the job of archival research at various American Repositories of relevant historical documents relating to Netaji Subhas Chandra Bose, free of remuneration for academic interest or for the love and respect for Netaji, and that it may not be presumed that some specific documents have been offered by the American side which might be perused by an Officer to be deputed by the Indian Mission in Washington as appears to have been stated in your said statement at page 2 against para 4(c)(iv). I am, therefore, directed to request you to kindly take necessary action in the matter as requested by the Commission in its aforesaid letter dated 05.08.2003 expeditiously, unless the Officer to be deputed by the Indian Mission in Washington is in a position to do archival research, relevant to Netaji Subhas Chandra Bose at various American Repositories of historical documents. What is needed is research work to find out whether there are relevant documents in the archival records in the U.S.A.

Yours faithfully,

( M. Roy )  
Officer on Special Duty

Annexure-A/13  
Phone: (Collectively)

Chairman - 252-2825  
Secretary - 252-2765  
Officer on  
Special Duty - 252-2765  
Office - 252-2765

e-mail : jmci@vsnl.com



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Annexure - B

CONFIDENTIAL

C. Rajasekhar  
First Secretary

T. Armstrong Changsan  
Second Secretary

Embassy of India,  
2-11, Kudan-Minami 2-chome  
Chiyoda-ku, TOKYO 102-0074

Telex : 2824886INDEMB J  
Phone : (03)(3262)2391 to 97  
Fax : (03) (3234) 4866  
E-Mail : indembjp@goi.com

November 12, 2002  
18

Respected Sir,

As per your desire, we went on October 24, 2002 to the Renkoji Temple in Tokyo and opened the casket alleged to be containing the mortal remains of Netaji Subhas Chandra Bose. The time was between 1530 to 1630 hours, and the casket was opened in the presence of the Chief Priest of Renkoji Temple, Rev. Koshi Mochizuki and his wife.

Photographs were taken during the process, and two sets containing eight photographs each are enclosed. Their description is as follows :

Plate 1 : In the foreground is the casket wrapped in cloth, with the handwritten word "NETAJI SUBHAS CHANDRA BOSE". Normally the casket is kept inside the shrine which can be seen in the background of the photograph. The shrine is enclosed in a glass cage.

Plate 2 : This reveals the contents of the wooden casket. There were pieces of what appeared to be bone fragments, greyish in colour. In addition, a bundle of brown paper containing something can be seen.

Plate 3 : Another view of the contents of the casket. Two of the flat pieces appear to be parts of the skull.



CONFIDENTIAL

Plate 4 : The brown paper bundle contained what appeared to be teeth and other bone fragments.

Plate 5 : Another photo showing the contents of the brown paper bundle

Plate 6 : a photo of the contents of the casket without the brown paper bundle. The contents from below were picked up and placed on top, and the picture shows what appears to be a portion of the jaw, with recesses where teeth might have been.

Plate 7 : Other contents of the box - more bone fragments.

Plate 8 : (From L to R) First Secretary Mr. C. Rajasekhar, Renkoji Temple Chief Priest Rev. Koshi Mochizuki and Second Secretary Mr. T. Armstrong Changsan, standing in front of the casket and the shrine.

A note was also recorded and left behind at the temple that we had opened the casket on October 24, 2002.

Respectful regards,

Yours faithfully

Sd/-

( C. Rajasekhar  
First Secretary

Sd/-

( T. Armstrong Changsan  
Second Secretary

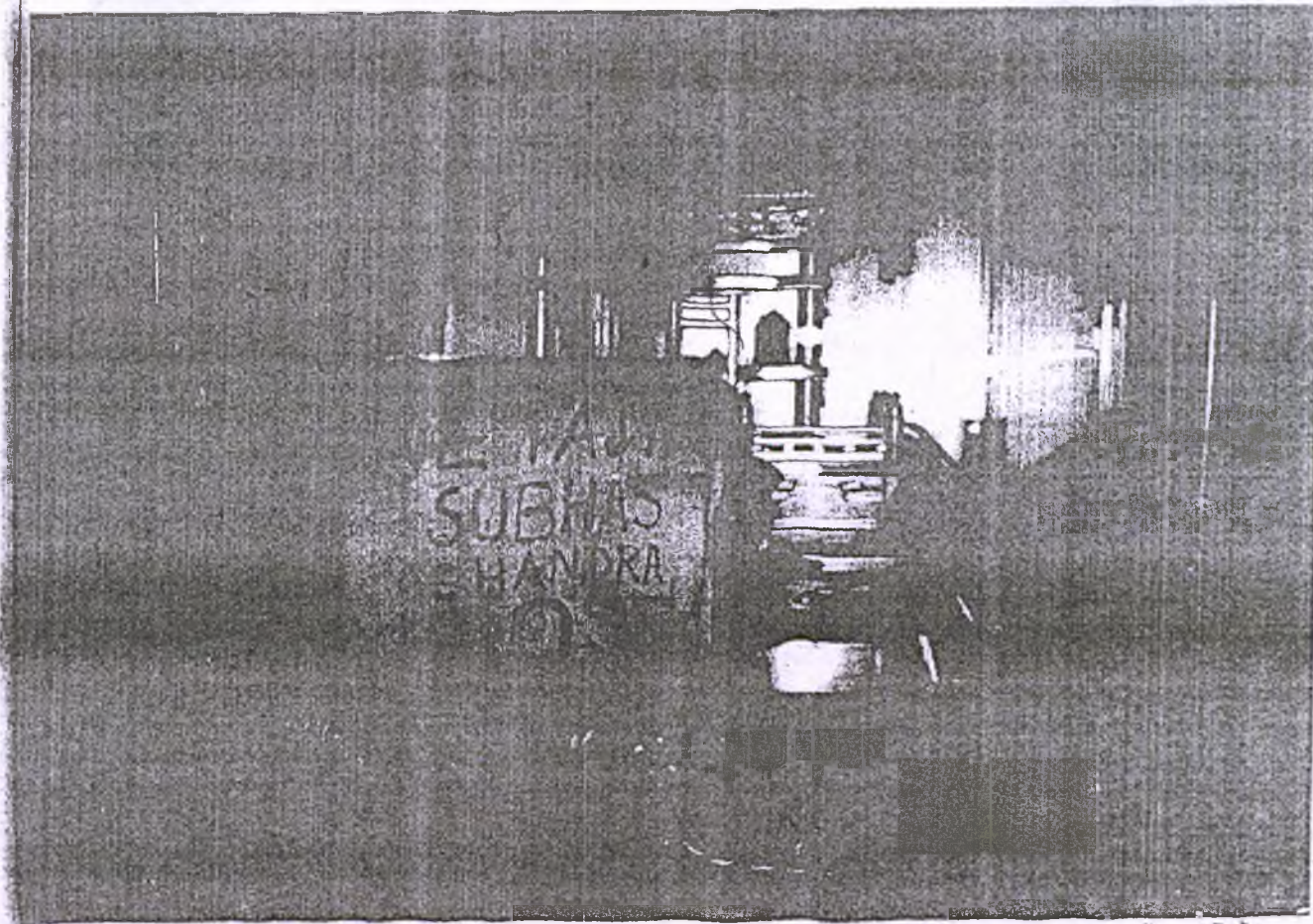
Hon'ble Justice M.K. Mukherjee  
Chairman,  
Justice Mukherjee Commission of Enquiry  
into the alleged disappearance of Netaji  
Subhas Chandra Bose,  
11/A, Mirza Ghalib Street,  
Kolkata - 700 097.



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Annexure - B/1  
(Collectively)

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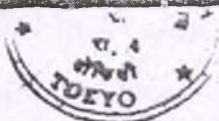


PLATE 1





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189-B



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189-B

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189 D

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189-E

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189-E









Annexure B/2  
(Collectively)

: 033-252-2835, 2765/68

Fax : 033-252-2765

e-mail :

jmcinscb@cal3.vsnl.net.in

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary  
Justice Mukherjee Commission of Inquiry  
For-inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> Floor), 11/A, Mirza Ghalib Street, Kolkata- 700 087

D.O. No. JMCI/EO/2002-2003/83/443

December 05, 2002

Dear Dr. Singh,

I am directed to write this letter to you seeking your valued opinion on a very important point relating to DNA Fingerprinting and Diagnostics. As advised by you in your d.o. letter No. DCCMB/34 dated 14 October, 2002, we have already taken up the matter of DNA tests of some specimens with Dr. Seyed E. Hasnain, Director, Centre for DNA Fingerprinting and Diagnostics. As you are one of the pioneer scientists in the field of DNA Fingerprinting Technology in India and have been instrumental in setting up the Centre for DNA Fingerprinting and Diagnostics, I am to seek your valued opinion on a point which is very vital for the present probe into the alleged disappearance of Netaji Subhas Chandra Bose.

One of the points of enquiry before the Commission is whether the ashes kept in the Renkoji Temple in Tokyo, Japan, are actually ashes of Netaji Subhas Chandra Bose, who allegedly died in an alleged plane-crash at Taihoku on 18 August, 1945. As you know, the alleged disappearance of Netaji is still shrouded in mystery and this Commission has been set up to resolve the mystery.



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Annexure B/2  
(Collectively)

At the request of the commission during its recent visit to Japan, His Excellency the Indian Ambassador in Tokyo got the casket containing the alleged ashes of Netaji inspected by the First Secretary and the Second Secretary of the Indian Embassy. The Commission has received from the Indian Embassy the report of that inspection along with a few photographs of the contents of the casket kept in the Renkoji Temple, Japan. A copy of the report dated 12/18 November, 2002 is sent herewith. I would request you to kindly go through this report and give your valued opinion as to whether DNA tests of mortal remains in the casket kept in the Renkoji Temple, as revealed by the said report, is possible to establish the identity of the deceased to whom the mortal remains belonged. Your valued opinion on this point will be of great help to the Commission for taking further steps in the matter in order to come to a definite conclusion as to whether the said mortal remains are of Netaji Subhas Chandra Bose, as alleged.

I am to request you to kindly treat this matter as **extremely urgent** and send your views on the points **confidentially** as early as possible.

Expecting an early reply and with warm regards,

Yours sincerely,

Sd/-

(P.K. Sengupta)  
Secretary

Encl : As above.

To  
Dr. Lalji Singh  
Director  
Centre for Cellular and Molecular Biology  
Uppal Road  
Hyderabad 500 007



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ure B/2  
ctively)

Annexure B/2  
(Collectively)

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copy of  
request

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary  
Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> Floor), 11/A, Mirza Ghalib Street, Kolkata- 700 087

033-252-2835, 2765/66

Fax : 033-252-2765

e-mail :  
jmcinscb@cal3.vsnl.net.in

D.O. No. JMCI/EO/2002-2003/83/444

December 05, 2002

~~CONFIDENTIAL~~

Dear Dr. Hasnain,

You are perhaps aware that one of the points for enquiry before this Commission is whether the alleged ashes kept in a casket in the Renkoji Temple in Tokyo are the ashes of Netaji Subhas Chandra Bose, who allegedly died in an alleged plane-crash on 18 August, 1945. At the request of the Commission, during its recent visit to Japan, His Excellency the Indian Ambassador in Japan got the contents of the casket in the Renkoji Temple, Japan, inspected by the First Secretary and the Second Secretary of the Indian Embassy in Japan. The Commission has recently received the report of that inspection of the casket along with a few photographs of the contents of the said casket. I am sending herewith a copy of the report dated 12/18 November, 2002.

I am to request you to kindly go through the enclosed report and give your valued opinion on the point as to whether it is possible to conduct DNA test of the mortal remains in the casket, as revealed by the report, in order to establish the identity of the deceased to whom the mortal remains belonged. If it is possible, the Commission may kindly be advised as to the

urgent  
c.

ncerely,

ngupta)  
ecretary



nature of the specimens that may be necessary for conducting DNA tests of the said mortal remains to establish the identity of the deceased.

This matter may kindly be treated as **extremely urgent** and **confidential**. I am to request you to kindly send confidentially your valued opinion as early as possible.

Expecting an early reply and with warm regards,

Yours sincerely,

Sd/-

(P.K. Sengupta)  
Secretary

Encl : As above.

To  
Dr. S.E. Hasnain  
Director  
Centre for DNA Fingerprinting and Diagnostics  
ECIL Road, Nacharam  
Hyderabad - 500 076

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Annexure B/2  
(Collectively)

**C C M B**

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY  
(Council of Scientific & Industrial Research)  
Uppal Road, Hyderabad - 500 007, India.

Dr. Lalji Singh  
Director

**CONFIDENTIAL  
SPEED POST**

No. DCCMB/34  
December 10, 2002

Dr. P.K. Sengupta  
Secretary  
Justice Mukherjee Commission of Inquiry  
'B' Block (3<sup>rd</sup> Floor), 11/A,  
Mirza Ghalib Street,  
Kolkata- 700 087.

Dear Dr. Sengupta,

Please refer to your D.O. Ltr. No. JMCI/EO/2002-2003/83/443, dated December 05, 2002 seeking my valued opinion relating to DNA Fingerprinting in the alleged disappearance of Netaji Subhas Chandra Bose. I have gone through the enclosed Xerox copy of the letter describing the content of the mortal remains of Netaji Subhas Chandra Bose in the casket kept at the Renkoji Temple in Tokyo. It appears there are small pieces which appeared to be pieces of bones. What is not clear whether these pieces are collected from the burnt debris? If these are collected from the burnt ashes then it will not be possible to isolate DNA from this. DNA would have been completely destroyed. However, if these are remains of bones (not burnt



Annexure B/2  
(Collectively)

bone), then presence of DNA is expected which may be in degraded form but still usable for establishing identity. For doing this, one needs a very special facility which is used for the study of ancient DNA to ensure that there is no contamination from the laboratory while doing the test. Such laboratory facility does not exist in India. In CCMB, we are in the process of creating one for which we have recently received a grant from the Department of Biotechnology. However, it will take some time before the facility is ready. There is one laboratory in Germany (Address and Contact Person : Prof. Dr. Svante Paabo, Director, Department of Genetics, Max Planck Institute for Evolutionary Anthropology, Inselstrasse 22, D-04103, Leipzig, Germany ; Tel. No. 00-49-341-9952-301 ; Fax No. 00-49-341-9952-555 ; Email: [paabo@eva.mpg.de](mailto:paabo@eva.mpg.de)), which is a pioneer in ancient DNA study. They have a full-fledged facility. They may be approached to undertake this study. However, before we undertake the study, we have to ensure the following :

: (OM) : 7160789 International : +91-40-7160252, 7160591, 7160311 : [lalji@ccmb.res.in](mailto:lalji@ccmb.res.in)  
Telephone : EPABX : 7160222-41 Fax India : 040-7160252, 7160591, 7160311 E-mail : [lalji@ccmb.res.in](mailto:lalji@ccmb.res.in)  
(Res) : 7160555, 7160556 Website : [www.ccmb.res.in](http://www.ccmb.res.in)

Telegram : Biocentre



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Annexure B/2  
(Collectively)

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY

1. The remains of the bone pieces are not burnt.
2. There is blood sample available from Netaji's relations particularly from the female descendants of his maternal side i.e. his sister or his sister's children who would have inherited mitochondrial DNA from his mother. Since mitochondrial DNA is inherited only from maternal side, these will be very good for establishing relatedness by DNA sequence comparison. If we are able to isolate DNA successfully, we could also use y-DNA comparison from his or his brother's sons and their descendants. Thus blood samples have to be made available. However, before we venture through all these, one has to ensure successful isolation of DNA from the remains of the bones. I hope you will find this information useful. I will be delighted to answer any question or extend any possible help within my capabilities to help you.

With kind regards,

Yours sincerely,

Sd/-

(Lalji Singh)



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Annexure B/:  
(Collectively)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
'B' Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata- 700 087

Phone :

Chairman - 252-2835  
Secretary - 252- 2767  
Officer on Special  
Duty - 252- 2766  
Office - 252- 2766/68

e-mail :

jmcinscb@cal3.vsnl.net

No. JMCI/EO/2002-2003/83/468

From : Shri P. K. Sengupta,  
Secretary.

December 17, 2002

To  
Mr. T. Armstrong Changsan  
Second Secretary,  
Embassy of India  
2-11 Kudon- Minami 2-Chome  
Chiyodo-Ku  
Tokyo-120 007  
Japan.

Confidential

Reg : The Joint Inspection Report dt: 12/18 November, 2002 of you and Shri Raj Sekhar, the then First Secretary in the Embassy of India in Japan, regarding the contents of the casket alleged to be containing the alleged mortal remains of Netaji Subhas Chandra Bose in the Renkoji Temple, Japan.

Dear Sir,

I am directed to request you to kindly refer to the above-quoted report dt: 12/18 November, 2002 and the photographs sent along with that report.

A copy of your above-quoted report was sent to the Director of the Centre for Cellular and Molecular Biology, Hyderabad, India, with the request to let the Commission know whether DNA test could be conducted on the bones, which the casket in Renkoji Temple appeared to contain during your joint inspection, in order to ascertain the identity of the deceased to whom the bones belonged. In reply to that letter of the



Annexure B/3  
(Collectively)

Commission, Dr. Lalji Singh, Director, Centre for Cellular and Molecular Biology, Hyderabad, India, has informed that, if these bones were collected from the burnt ashes, then it would not be possible to isolate DNA from the bones for the purpose of conducting the DNA test. The relevant portion of the letter of Dr. Lalji Singh is reproduced below :-

"What is not clear whether these pieces are collected from the burnt debris ? If these are collected from the burnt ashes then it will not be possible to isolate DNA from this. DNA would have been completely destroyed. However, if these are remains of bones (not burnt bone), then presence of DNA is expected which may be in degraded form but still usable for establishing identity."

In this perspective, I am to request you to kindly let the Commission know whether the bones which you had seen and got photographed during the joint inspection of the casket in the Renkoji Temple, Japan, by you and Shri Raj Sekhar are remains of burnt bones or pieces of unburnt bones.

Your reply on this point is urgently necessary for proceeding further in the matter. This may therefore be kindly treated as extremely urgent.

Thanking you,

Yours faithfully,

Sd/-

(P.K. Sengupta)  
Secretary



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Annexure B/3  
(Collectively)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
'B' Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata- 700 087

Phone :

Chairman - 252-2835  
Secretary - 252- 2767  
Officer on Special  
Duty - 252- 2766  
Office - 252- 2766/68

Fax :

0091-003-252-2765

e-mail :

jmcinscb@cal3.vsnl.net.in

No. JMCI/EO/2002-2003/83/481

December 26, 2002

From : Shri P. K. Sengupta,  
Secretary.

To  
Shri Aseem R. Mahajan,  
Second Secretary,  
Embassy of India  
2-11 Kudon- Minami 2-Chome  
Chiyodo-Ku  
Tokyo-120-0074.  
Japan.

Confidential

Reg : The Joint Inspection of the contents of the casket alleged to be containing the alleged mortal remains of Netaji Subhas Chandra Bose in the Renkoji Temple, Japan.

Ref : D.O. letter No. TOK/102/03/2001 dated December 19, 2002 of Shri Aseem R. Mahajan, Second Secretary of the Embassy of India in Tokyo addressed to the Secretary of the Commission in reply to my letter no. JMCI/EO/2002-2003/83/468 dated 17.12.2002.

Sir,

Inviting your notice to the above, I am directed to request you to kindly send the report asked for in my above-quoted letter no. JMCI/EO/2002-2003/83/468 dated 17.12.2002 after getting the contents of the Casket, alleged to be containing the alleged mortal remains of Netaji

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Subhas Chandra Bose, in the Renkoji temple, Japan, examined afresh preferably by or in collaboration with a competent expert, since the required report is likely to be the basis for deciding whether or not the Government of India should be approached for bringing those ashes (mortal remains) to India for subjecting them to DNA test. For ready reference, a copy of my letter no. JMCI/EO/2002-2003/83/468 dated 17.12.2002 is enclosed.

Yours faithfully,

Sd/-

( P.K. Sengupta :  
Secretary

Encl : one.

To	Minister, External Affairs
From	Secretary, External Affairs
Subject	Subhas Chandra Bose's mortal remains
Date	17.12.2002
File No.	

Reference your letter of 17.12.2002. As per the request of the Ministry of External Affairs, the mortal remains of Subhas Chandra Bose have been deposited for storage in the Embassy of India, Tokyo, Japan and the Port of Spain at Singapore respectively.

The Embassy shall immediately inform the authorities of the respective countries the location of the mortal remains of the deceased and also inform whether any material should be sent to India for the purpose of a DNA test.

This process should be completed as soon as possible and the results should be reported to the Ministry of External Affairs, Government of India.



**MOST IMMEDIATE  
TELEFAX**

Embassy of India,  
2-11, Kudan-Minami 2-Chome,  
Chiyoda-ku, Tokyo 102

Fax : 81-3-3234-4866

Phone : 81-3-3262-2391  
E-Mail : dem@indembjp.org.

To	Justice Mukherjee Commission of Inquiry	Fax No.	033-252-2765
For	Shri P.K. Sengupta, Secretary	From	Biren Nanda, Charge d' Affaires
Rptd		Date	December 27, 2002
No.		Total No. of pages	

Reference your fax of December 26, 2002. As conveyed to the Hon'ble Commission by Second Secretary Aseem Mahajan in response to your fax of December 17, 2002, both Second Secretary Armstrong and First Secretary Rajasekhar have departed for postings in the Embassies of India in Lagos, Nigeria and the Port of Spain in Guyana respectively.

The Embassy shall immediately solicit the services of an expert to re-examine the bones of the deceased at the Renkoji Temple to seek his opinion on whether any material exists from which DNA may be isolated for the purposes of a DNA test.

This process however may take some time and would involve certain expenditure. We shall be reverting to the Hon'ble Commission for permission to undertake the necessary expenditure after making local enquiries.

Sd/-  
(Biren Nanda)

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Annexure B/5

(Collectively)

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)

Secretary

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street, Kolkata - 700 087

Phone : 033-252-2835, 2765/68

Fax : 033-252 2765

e-mail :  
jincinsch@cal3.vsnl.net.in

D.O.No. JMCI/EO/2002-2003/83/469

December 17, 2002

To  
Prof. Dr. Svante Paabo  
Director  
Department of Genetics  
Max Planck Institute for Evolutionary Anthropology  
Inselstrasse 22, D-04103  
Lieipzig, Germany.

Sir,

This Commission has been set up by the Government of India for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose. Though some people claim that he died in an alleged plane crash at Taihoku on August 18, 1945, still his alleged disappearance is shrouded in mystery. After his alleged death he was allegedly cremated in a crematorium at Taihoku and his alleged ashes were preserved in the Renkoji Temple in Japan. The points of inquiry before the Commission include, inter-alia, the following :-

- 1) Whether Netaji Subhas Chandra Bose died in the alleged plane crash;
- 2) Whether the alleged ashes kept in the Renkoji Temple in Japan are the ashes of Netaji Subhas Chandra Bose;

For a thorough and scientific probe into the aforesaid two points of inquiry the Commission wants to know the feasibility of DNA test of the alleged ashes kept in the Renkoji Temple. A recent inspection of the casket



Annexure B/5  
(Collectively)

allegedly containing the ashes of Netaji Subhas Chandra Bose has revealed that the casket kept in the Temple appears to contain :-

- a. Some pieces of bone fragments, greenish in colour;
- b. Two flat pieces appearing to be parts of the skull;
- c. A brown paper bundle containing what appears to be teeth and other bone fragments;
- d. A thing what appears to be a portion of the jaw with recesses where teeth might have been;
- e. More bone fragments;

The Commission now wants to know whether it is feasible to conduct DNA test of the aforesaid mortal remains in order to find out the identity of the deceased. You have been referred to the Commission by Dr. Lalji Singh, Director of the Centre for Cellular and Molecular Biology, Hyderabad, India. I am enclosing a copy of the letter of Dr. Lalji Singh which will speak for itself.

I am to request you to kindly let the commission know about the feasibility of DNA test of the aforesaid mortal remains for establishing the identity of the deceased. If it is feasible, the Commission may kindly be informed of the procedure to be followed, steps to be taken and the costs of the DNA test payable by the Commission.

An early reply will be highly appreciated.

With regards,

Yours Sincerely,  
Sd/-  
(P.K. Sengupta)  
Secretary

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Annexure B3 (Collectively)

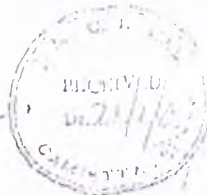
# Max-Planck-Institut für evolutionäre Anthropologie

Department for Evolutionary Anthropology  
Institute of Evolutionary Genetics

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Justice Mukherjee Commission of Inquiry  
Ann. Pradyot Kumar Sengupta  
B Block (3<sup>rd</sup> floor), IIA Mirza Jhalib Sijel  
Kolkata - 700087

Indien



Justice Mukherjee  
Commission of Inquiry  
Ann. Pradyot Kumar Sengupta  
B Block (3<sup>rd</sup> floor), IIA Mirza Jhalib Sijel  
Kolkata - 700087

Dear Mr. Sengupta,

Thank you for your letter. The chance to retrieve usable DNA from burnt bones depends to a large extent on how thoroughly the bones were burnt and at what temperature. The success of a project like this would of course depend on having reliable reference samples from the person him- or herself, or from close relatives. Overall, my guess would be that the chances of success are quite limited.

We ourselves are not in a position to perform service work. There is a number of companies in the United States that perform such work. I know that one of these companies was contacted by Professor Mark Stoneking, who now works with us here, was previously associated with Mitotyping Technologies. The e-mail address of the contact person Terry Melton is [terry@mitotyping.com](mailto:terry@mitotyping.com), and their website is [www.mitotyping.com](http://www.mitotyping.com).

This company, or another one, would be my first advice to you. Another alternative would be to try to contact for example Professor Sir Alec Jeffreys at the University of Leicester, Institute of Genetics who has performed identification work of important personalities in the past. However, I do not know if he is in a position to take on this case.

I hope this is of some help to you.

Sincerely yours,

Svante Pääbo, Ph.D., DSc. h.c.  
Professor of Genetics and Evolutionary Biology  
Director, MPI-EVA

Via fax &amp; e-mail



From: JACI <jaci@bharat3.com>  
To: ram107@mintypoint.com>  
Cc: nabe@eva.mpi.de>  
Sent: Tuesday, January 21, 2003 5:25:14  
Subject: DNA tests on mortal remains

To  
Mr. Terry Milton,  
Autotyping Technologies  
USA

Dear Sir,

This Commission has been set up by the Government of India for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose. Through some people claim that he died in an alleged plane crash at Taihoku on August 18, 1945, still his alleged disappearance is shrouded in mystery. After his alleged death he was allegedly cremated in a crematorium at Taihoku and his alleged ashes were preserved in the Renkoji Temple in Japan. The points of inquiry before then Commission include, inter-alia, the following :-

1. Whether Netaji Subhas Chandra Bose died in the alleged plane crash.
2. Whether the alleged ashes kept in the Renkoji Temple in Japan are ashes of Netaji Subhas Chandra Bose;

A recent inspection of the casket allegedly containing the ashes of Netaji Subhas Chandra Bose has revealed that the casket, which is lying in the Renkoji Temple in Japan, appears to contain,

- a. Some pieces of bone fragments greenish in colour;
- b. Two flat pieces appearing to be parts of the skull,
- c. A brown paper bundle containing what appears to be teeth and other bone fragments;
- d. A thing what appear to be a portion of the jaw with recesses where teeth might have been;
- e. More bone fragments,

For a through and scientific probe into the points of inquiry, the Commission wants to get DNA tests done on the mortal remains in the casket kept in the Renkoji Temple in order to establish the identity of the deceased to whom the mortal remains belonged. Now the question is whether DNA tests can be conducted on the said mortal remains for the purpose indicated above if blood samples are made available from both paternal and maternal lineages of Subhas Chandra Bose. In other words, the Commission wants to know about the feasibility of DNA tests on the mortal remains for the purpose.

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Wishing the identity of deceased, Dr. Svante Paabo of the Max-Planck-Institut für evolutionäre Anthropologie of Leipzig, Germany, was approached by the Commission with a request to let the Commission know whether it was feasible to conduct DNA tests on the mortal remains in the crypt in the Benkeji Temple for establishing the identity of the deceased. He referred us to you and furnished us with your email address.

I am, therefore, to request you to kindly let the Commission know whether it is feasible to conduct a DNA test on the aforesaid mortal remains for establishing the identity of the deceased, assuming that blood samples from his relatives both on the paternal side and the maternal side will be available.

If it is feasible, the Commission may be informed of the procedure to be followed, steps to be taken and the costs of the DNA tests payable by the Commission.

An early reply will be highly appreciated,

With regards,

Sincerely yours,

P. K. Sengupta,

Secretary,

Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose, 11A Muza Galib Street, 3<sup>rd</sup> Floor, Kolkata-700087, Tel-Fax no. 91-33-2252-2765

(DNA tests the identity tests can be es are made words, the the purpose the test)



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1. Whether Netaji Subhas Chandra Bose died in the alleged plane crash,
2. Whether the alleged ashes kept in the Renkoji Temple in Japan are ashes of Netaji Subhas Chandra Bose.

- For a thorough and scientific probe into the points of inquiry, the Commission wants to get DNA tests done on the mortal remains in the casket kept in the Renkoji Temple in order to establish the identity.

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deceased to whom the mortal remains belonged. Now the question is whether DNA tests can be conducted on the said mortal remains for the purpose indicated above if blood samples are not available from both paternal and maternal lineages of Subhas Chandra Bose. In other words, the Commission wants to know about the feasibility of DNA tests on the mortal remains for the purpose of establishing the identity of deceased. Dr. Svante Paabo of the Max-Planck-Institut für evolutionäre Anthropologie of Leipzig, Germany, was approached by the Commission with a request to let the Commission know whether it was feasible to conduct DNA tests on the mortal remains in the case of the Renkoji Temple for establishing the identity of the deceased. He referred us to you and furnished us with your email address.

I am, therefore, to request you to kindly let the Commission know whether it is feasible to conduct DNA test on the aforesaid mortal remains for establishing the identity of the deceased, assuming that blood samples from his closed relatives both on the paternal side and the maternal side will be available.

If it is feasible, the Commission may be informed of the procedure to be followed, steps to be taken and the costs of the DNA tests payable by the Commission.

An early reply will be highly appreciated,

With regards,  
Sincerely yours,

P. K. Sengupta,  
Secretary,

Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose, 11/A Mirza Ghalib Street, Block-B, 3<sup>rd</sup> Floor, Kolkata-700087, Tel-Fax no. 91-33-2252-2763

DNA tests  
the identity  
12/2011



Annexure B/5  
(Collectively)

From : Terry Melton<twm107@mitotyping.com>  
To : JMCI<jmcinscb@cal3.vsnl.net.in>  
Sent: Tuesday, January 21, 2003 7:44 PM  
Subject: Re: DNA tests on Mortal remains

Dear Mr. Sengupta,

We would be pleased to attempt mitochondrial DNA analysis of the remains to which you refer. This test would make a comparison between the skeletal fragments and the maternal lineage of the individual in question.

Our experience is that cremated remains are very unlikely to give a DNA profile. Having said that, we agree to test them if recognizable teeth or other anatomically identifiable parts remain. The analysis, besides being a standard forensic mitochondrial DNA test, includes an attempt to recover degraded DNA if that is necessary.

The cost for the test is \$2,500USD per sample. If no DNA is recovered, we reduce the fee to \$1,000 per sample. It would be advisable for you to decide how many attempts you would like to make, for example, how many times you want us to try (how many samples) before stopping. We don't generally make more than two or three attempts in any case.

If the test successfully recovers DNA, we would need a reference sample (blood or cheek swab) from a maternally related individual for comparison. This sample would cost \$1,500 USD.

We recommend a thorough anthropological evaluation of the remains, including photography. The examiners of the remains should refrain from excessive handling of the remains, and should wear sterile and frequently-changed gloves during the evaluation. If the remains are at all moist, they should be stored in the freezer prior to DNA analysis.

We would like to receive the anthropologist's report prior to proceeding. From this report, we will suggest the remains to be tested in our lab.

Please let me know if you have other questions.

Terry Melton

At 05:25 PM 1/21/2003 + 0530, you wrote:

To

Mr. Terry Melton,  
Mitotyping Technologies,  
USA



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Annexure B/5  
(Collectively)

From : Alec Jeffreys <ajj@leicester.ac.uk>  
To: JMCI <jmcinscb@cal3.vsnl.net.in>  
Sent: Wednesday, January 22, 2003 3:21 PM  
Subject: Re: DNA tests on Mortal remains

Dear Mr Sengupta

Thank you for your enquiry concerning the very important case of Chandra Bose. I am afraid that I cannot be of assistance in this matter - my laboratory has not been involved directly in forensic DNA analysis for 10 years and we are neither equipped nor accredited for this type of investigation. Instead, I would strongly recommend that you contact one of the national forensic service laboratories, for example the UK Forensic Science Service in Birmingham, who are fully tooled up to perform the complex analysis required in this case. It might also be worth exploring options in India - one obvious contact would be Dr Lalji Singh, director of the CCMB in Hyderabad.

Finally, I would note that DNA typing would be impossible on ashes, and may well prove impossible on the additional bone samples if they have been subjected to high temperatures. Even if they have not been heated, success is still not guaranteed. In this type of analysis, one has to be pragmatic, seeing whether any human DNA can be recovered - if no DNA is recoverable, then typing cannot be performed.

Please accept my sincere apologies for not being able to be of assistance.

Regards

Alec Jeffreys

Annexure B/5  
(Collectively)

\*\*\*\*\*

Prof. Sir Alec Jeffreys  
Department of Genetics  
University of Leicester  
Leicester LE1 7 R H  
UK

tel. (+44)116 252 3435  
fax (+44) 116 252 3378  
email :

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On Wednesday, January 22, 2003 2:51 pm +0530 JMCI<jmcinscb@cal3.vsnl.net.in>wrote:

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**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE**  
'B' Block, 3<sup>rd</sup> Floor,  
11/A, Mirza Ghalib Street, Kolkata - 700 087.

Appendix B/G

NO.JMCI/EO/2002-03/83/520.

Kolkata, dated, 27.01.2003.

From : Shri P.K. Sengupta,  
Secretary

To: The Secretary,  
Ministry of External Affairs,  
Government of India,  
South block,  
New Delhi - 110 001.

Sir,

I am directed to send herewith a copy of the communication dated January 22, 2003 made by the commission with Prof. Sir Alec Jeffreys, Department of Genetics, University of Leicester, UK and his reply dated January 22, 2003 thereto, both sent by e.mail and to request you to kindly obtain names, addresses, e.mail addresses, Fax Nos. etc. of the National Forensic Service Laboratories in UK through the Indian High Commission in UK and send those to the Commission immediately.

Yours faithfully,

Sd/-

(P.K. Sengupta)

Secretary

Encl. : As stated above.



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**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

**NETAJI SUBHAS CHANDRA BOSE**

'B' Block, 3<sup>rd</sup> Floor,

11/A, Mirza Ghalib Street, Kolkata - 700 087.

Annexure B/7  
(Collectively)

NO.JMCI/EO/2002-2003/83/590.

Kolkata, dated, 13<sup>th</sup> March, '03

From : Shri P.K. Sengupta,  
Secretary

To : The Secretary,  
Ministry of External Affairs,  
Government of India,  
South block,  
New Delhi - 110 001.

Sir,

I am directed to send herewith a xerox copy of the FAX message dated December 27, 2002 received from Shri Biren Nanda, Charge d' Affairs Embassy of India in Japan, which speaks for itself, and to request you to kindly appreciate the importance and urgency of the matter and take necessary action so that the Commission receives the opinion of a competent expert immediately on whether any material exists in the mortal remains allegedly of Netaji Subhas Chandra Bose kept at the Renkoji Temple in Japan from which D.N.A. may be isolated for the purposes of D.N.A. tests, as called for by the Commission from the Embassy of India in Tokyo.

This may kindly be treated as urgent.

Enclosure: As stated above.

Yours faithfully,  
Sd/-  
(P.K. Sengupta)  
Secretary



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Annexure B/7  
(Collectively)

**MOST IMMEDIATE  
TELEFAX  
Embassy of India  
2-11, Kudan-Minami 2-Chome,  
Chiyoda-ku, Tokyo 102**

Fax: 81-3-3234-4866

Phone :81-3-3262-2391  
E-Mail:dem@indembjp.org

To	Justice Mukherjee Commission of Inquiry	Fax No.	033-252-2765
For	Shri P.K. Sengupta Secretary	From	Biren Nanda, Charge d' Affaires
Rptd	1. Shri Vijay Gokhale, Joint Secretary (CNV) 2. Shri Nalin Surie, Additional Secretary (EA)	Date	December 27, 2002
No.		Total no. of pages	

**Subject : Justice Mukherjee Commission of Enquiry**

This refers to you fax of March 11, 2003 directing the Embassy to take further action as early as possible on the subject of DNA testing of the alleged mortal remains of the departed leader, Netaji Subhas Chandra Bose.

We would be grateful if the Hon'ble Commission could directly correspond with the Ministry of External Affairs in New Delhi on this matter. The concerned official is Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, South Block, New Delhi, with whom the Hon'ble Commission has corresponded earlier.

With kind regards,

Sd/-  
(Biren Nanda)

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Annexure B/8

विदेश मंत्रालय, नई दिल्ली  
MINISTRY OF EXTERNAL AFFAIRS  
NEW DELHI

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Vijay Gokhale  
Joint Secretary (CNV)

D.O.No. 25/4/NGO-Vol.IX

Dated March 26, 2003

Dear Shri Sengupta,

Please refer to your letter No. JMCI/EO/2002-2003/83/590 dated 13.3.2003 regarding soliciting the services of an expert for examining the mortal remains kept at the Renkoji Temple.

I would like to inform you that we have referred the matter for advice to the Ministry of Home Affairs in their capacity of the nodal Ministry. We will revert as soon as their decision/advice is received.

Best wishes,

Yours sincerely,

*Vijay Gokhale*

(Vijay Gokhale)

To

Shri P.K. Sengupta  
Secretary  
Justice Mukherjee Commission of Inquiry,  
'B' Block, (Third Floor),  
11/A Mirza Ghalib Street,  
Kolkata 700 087

OSD  
AP  
7/1/03

A.O.  
I have put up in the file.  
01.04.03



## 117A Mirza Ghalib Street, Kolkata 700 087

Letter no. JMC/EO/2002-2003/83/469 dated 17.12.2002 addressed to  
Prof. Dr. Svante Paabo, Director, Department of Genetics, Max  
Planck Institute for Evolutionary Anthropology, Inselstrasse 22, 12



0-1103, Leipzig, Germany.

- Letter no. JMCI/EO/2002-2003/83/468 dated 17.12.2002 addressed to Mr. T. Armstrong Changsan, Second Secretary, Embassy of India in Japan, in reference to the report dated 12/18/11/70/2. This was inspection of the contents of the casket allegedly containing the alleged mortal remains of Netaji Subhas Chandra Bose made by him and Shri C. Rajsekhar (Sl. No. 4 at page 1).
- Letter no. JMCI/EO/2002-2003/83/481 dated 26.12.2002 addressed to Shri Aseem Maharajan, Second Secretary, Embassy of India in Japan.
- ✓ Fax message dated 27.12.2002 from Shri Biren Nanda, Charge d' Affairs, Embassy of India in Japan, in reference to the Commission's letter dated 26.12.2002 sent by Fax (Sl. No. 7 at page 1).
9. Fax message dated 30.12.2002 to Shri Biren Nanda, Charge d' Affairs, Embassy of India in Japan, in reply to his Fax dated 27.12.2002 (Sl.No. 8 at page 1).
10. Letter dated 07.01.2003 from Mr. Svante Paabo, Director, Department of Genetics, Max Planck Institute for Evolutionary Anthropology, Inselstrasse 22, D-04103, Leipzig, Germany in reply to (Sl. No. 5 at page 1).
11. Letter by e-mail to Mr. Terry Milton, Mitotyping Technologies, USA.
12. Letter by e-mail to Professor Sir Alec J. Jeffreys, Department of Genetics, University of Leicester, University Road, Leicester, UK.
13. Letter by e-mail dated from Mr. Terry Milton in reply to Sl. No. 11 above.
14. Reply to Sl. No. 12 above by e-mail dated 22.01.2003 from Professor Sir Alec J. Jeffreys.
15. Letter no. JMCI/EO/2002-2003/83/520 dated 27.01.2003 to the Secretary, Ministry of External Affairs, Govt. of India.
16. Fax dated 11.03.2003 to Shri Biren Nanda, Charge d' Affairs, Embassy of India in Japan, as a reminder.
17. Letter no. EO/2002-2003/83/590 dated 13.03.2003 addressed to the Secretary, Ministry of External Affairs, Govt. of India.
18. Fax message from Shri Biren Nanda in reference to the Commission's Fax dated 11.03.2003 at Sl. No. 16 above.



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Annexure B/9

The enclosed correspondence on the subject of the feasibility of DNA test on the alleged mortal remains kept in the Renkoji temple are more than sufficient to show the endeavours made by the Commission in this regard since the receipt of the report of the joint inspection of the contents of the casket containing the alleged mortal remains and the photographs of the contents of the casket from the Embassy of India in Japan. Unfortunately till now there is no tangible result and time is running out fast.

In his Fax message dated 27.12.2002 (Sl. No. 8 in the list of correspondence) Shri Biree Nanda, Charge d' Affairs, Embassy of India in Japan, assured the Commission that the Embassy "shall immediately solicit the services of an expert to re-examine the bones of the deceased at the Renkoji temple to seek his opinion on whether any material exists from which DNA may be isolated for the purposes of a DNA test". Waiting in vain for a pretty long time for further communication from Shri Nanda, the Commission wrote to the Secretary, Ministry of External Affairs, requesting him to take necessary action to expedite the matter (vide letter dated 13.03.2003 at Sl. No. 17). Ultimately, Shri Nanda sent a Fax message dated 27.03.2003 (vide Sl. No. 18) advising the Commission to "directly correspond with the Ministry of External Affairs in New Delhi on this matter". In reply to the Commission's letter dated 13.03.2003 (vide Sl. No. 17), Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, has informed that they have referred the matter to your Ministry, which is the nodal Ministry, and that they will revert to the Commission as soon as your advice is received (vide his f.o. letter no. 244/NGO/Vol.IX dated 26.03.2003 a copy which is an enclosure to this letter).

In these circumstances, I am directed to request you to kindly extend all necessary help and assistance to the Commission in the matter of the proposed DNA test on the alleged mortal remains in the Renkoji temple in Japan.

The Directors of the Centre for Cellular and Molecular Biology (CCMB), Hyderabad, and the Centre for DNA Fingerprinting and Diagnostics were approached by the Commission for the purpose (vide letters at Sl. Nos. 2 & 3 at page 1). In his reply dated 10.12.2002 (vide letter at Sl. No. 4 at page 1), Dr. Lalji Singh, Director, CCMB, informed that laboratory facility for the proposed DNA test "does not exist in India." As advised by him, the Commission wrote to Prof. Dr. Svante Paabo, Department of Genetics, Max Department of Genetics, Max Planck Institute for Evolutionary Anthropology (vide letter at Sl. No. 5 at page 1). In his turn, Dr. Paabo advised the Commission to contact Mr. Terry Milton of Mitotyping Technologies, USA, and Prof. Sir Alec Jeffreys, University of Leicester, UK (vide letter at Sl. No. 10 at page 2). Copies of the letter written Mr. Terry Milton and Prof. Sir Alec Jeffreys in pursuance of the advice of Dr. Svante Paabo are at Sl. No. 11 and 12 at page 2.

Prof. Sir Alec Jeffreys regretted his inability to assist the Commission in the matter (vide letter at Sl. No. 12 at page 2). He, however, recommended the UK Forensic Science Service in Birmingham, one of the National Forensic Science laboratories. He also named Dr. Lalji Singh, Director of the CCMB, Hyderabad, as "one obvious contact". It may be mentioned here that Prof. Sir Jeffreys was written to after contacting Dr. Lalji Singh, in the context of this letter of Prof. Sir Jeffreys the Secretary of the Ministry of External Affairs was approached for help by the Commission (vide letter at Sl. N. 15 at page 2).



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Only positive reply in the matter has been received from Mr. Terry Milton (vide letter at Sl. No. 13 at page no. 2), but there is a precondition stipulated by him in the paragraph 5 and 6 of his letter received by e-mail. This is "anthropological evaluation of the remains including photography". He has categorically written, "We would like to receive the anthropologist's report prior to proceeding".

The Commission is now in a fix as to how anthropological evaluation and other necessary scientific tests of the alleged mortal remains kept in the Rankoji temple in Japan should be done for ascertaining the feasibility of DNA test on that mortal remains. I am, therefore, directed to request you to take necessary action as early as possible to enable the Commission to get necessary anthropological evaluation and other necessary tests done for taking the next step for DNA test on the alleged mortal remains.

This matter may kindly be treated as extremely urgent.

Yours faithfully,

(P. K. Sengupta)  
Secretary

Encls : As stated

REGISTERED WITH A/D.

No. JNIC/EO/2002-2003/83/14/1

April 10, 2003

Copy with a copy each of the enclosures is forwarded for information and necessary action to Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, South Block, New Delhi-11001.

(P. K. Sengupta)  
Secretary

11.7.03



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Annexure-B/10

No. 1/12014/13/2000-IS-V(NCB) Vol. IV  
Government of India  
Ministry of Home Affairs

03322522765.

New Delhi dated 13.08.03

To  
Shri P.K. Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
Netaji Subhas Chandra Bose,  
"B" Block (3<sup>rd</sup> Floor),  
11/A, Mirza Ghalib Street,  
Kolkata - 700 087.

Subject : Feasibility of the proposed DNA Test on the alleged mortal remains of Netaji Subhas Chandra Bose, kept in the Renkoji temple in Japan, for establishing real identity of the deceased.

Sir,

I am directed to refer to your letter No. JMCI/EO/2002-2003/83/14 dated 10/4/03 (received in this Section on 26/6/03) and reminder dated 23/7/03 on the subject noted above and to inform you as follows :-

- (i) The JMCI had asked the Indian embassy in Japan to locate experts to ascertain the feasibility of DNA test on the mortal remains kept in Renkoji Temple in Tokyo. The MEA had asked for the advice of MHA in the matter, which has been furnished vide our letter dated 16/6/03 and 16/7/03.
- (ii) Decision regarding holding of anthropological evaluation for determining the feasibility of DNA test and selection of experts for the purpose fall within the purview of the JMCI and appropriate decisions



Annexure-B/10

have to be taken by it. A formal meeting in MHA with MEA and other Ministries/Departments to decide such matters is not considered necessary.

- (iii) Once the decision is taken by JMCI, MEA may be informed. MEA has indicated that it will facilitate the visit of experts to Japan in so far as liaison with the local government, Renkoji temple authorities etc. are concerned.
- (iv) If any logistic support from MHA is needed by JMCI, specific proposals for such support may be sent.

In connection with the proposed DNA test of the mortal remains alleged to be of Netaji kept in Renkoji temple, Tokyo, the following suggestions have been received in this Ministry from Shri Sugata Bose, Director, Netaji research Bureau, Kolkata :-

- (a) Since these are in all probability the cremated mortal remains of one of the greatest sons of India, please ensure that any test is done with the deepest reverence and respect.
- (b) Any DNA test must be conducted by a top DNA expert or experts in the world.
- (c) Proper sensitivity should be shown to Japanese sentiments. The Japanese have cared for the mortal remains of our leader for 58 years while we Indians have failed to do our duty.



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Annexure-B/10

The Commission may like to consider the above suggestions while deciding the matter.

Yours faithfully,  
Sd/-  
(Umesh Kalra)  
Director



Annexure - B/11MINISTRY OF EXTERNAL AFFAIRS  
NEW DELHISecretL.D. Ralte  
Director (CNV)

No. 25/4/NGO-XI

31 May 2004

Dear Shri Sengupta,

This is with reference to the DNA testing of remains said to be of Netaji Subhas Chandra Bose kept in the Renkoji Temple in Tokyo.

2. We have been informed by our Ambassador in Tokyo that Rev. Mochizuki, the Head Priest of the Renkoji Temple in Tokyo, where the above remains are kept, has informed him that even though he has some reservations from the spiritual angle, he has no objection to a DNA test being conducted on the mortal remains in his custody. If the DNA test confirm the remains to be those of Netaji, he would be willing to hand over to India the casket containing the ashes, but he would also like to keep a portion of the remains in the Renkoji Temple in Tokyo.

3. The Justice Mukherjee Commission of Inquiry may kindly consider the offer of Rev. Mochizuki above. If it is decided to conduct the DNA test, a formal request will have to be made to the Head Priest. Once a decision has been made by the Commission, this Ministry would be happy to discuss the



Annexure - B/11

further steps that need to be taken. The External Affairs Minister has conveyed his willingness to meet with the Chairman of the Commission once the decision has been taken.

With regards,

Yours sincerely,

Sd/-

(L. D. Ralte)

Shri Pradyot Kumar Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
B Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street,  
Kolkata- 700 087.



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Annexure - B/12

Registered with A/D.

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary  
Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3rd Floor), 11/A, Mirza Ghalib Street, Kolkata- 700 087

Phone : 033-2252-2835, 2765/68

Fax : 033-2252-2765

e-mail :  
jmcinscb@gmail3.vsnl.net.in

D.O. No. JMCI/EO/2002-03/83(III)86

June 17, 2004

Dear

Please refer to your d.o. letter No. 25/4/NGO-XI dated May 31, 2004 regarding DNA test of the mortal remains said to be of Netaji Subhas Chandra Bose kept in the Renkoji Temple of Tokyo.

I am directed to say that the Commission has already decided to conduct DNA test of the aforesaid mortal remains kept in the Renkoji Temple of Tokyo and to request you to take further necessary action in the matter.

I am further directed to say that the Commission has no objection to the stipulation mentioned in the second sentence of the first para of your above-quoted letter.

An early reply regarding further progress in the matter will be appreciated.

With

Yours,

Sd/-

Sri L.D. Ralte  
Director (CNV)  
Ministry of External Affairs,  
Government of India  
South Block,  
New Delhi 110 001



(P.K. Sengupta)  
Secretary  
Appendix - B/13  
(Collectively)

**CENTRAL FORENSIC SCIENCE LABORATORY**

DIRECTORATE OF FORENSIC SCIENCES, Ministry of Home Affairs, Govt. of India, 30, Gorechand Road, Park Circus, Kolkata, 700 014, INDIA

**DR. V.K. KASHYAP**

Ph. D. FN. A.Sc.  
Director

**CONFIDENTIAL**

No. CFSL(K)/VI/03/01/002/Mukh.Corn/248

Dated : April 28, 2004

Dear Sri Sengupta

Kindly refer out telephonic discussion about the expertise of Prof. Mamoki Hirai, Dept. of Integrated Biosciences, University of Tokyo in Examination and DNA Fingerprinting of the burnt skeleton materials. Prof. Hirai is an internationally renowned Genetists & Molecular Biologist of Japan, however, we could not find any of his work on Forensic study of the skeleton materials and its DNA profiling.

Prof. N. Saitou at National Institute of Genetics, Mishima, Japan and Prof. Takao Inoue at Tottori University, Tottori, Japan are the two well Physical Anthropologists/Genetists/DNA Experts. Prof. Saitou has been associated with Ancient Genome Encyclopedia and DNA Database of the excavated skeletons and Prof. Inoue has made significant contribution in identification of three skulls in most amazing preserved Archeological Site at Tottori, Japan - The world has ever seen. Bio-Data of all above Scientists are enclosed for kind reference of the commission. The addresses of the above two Experts are provided below :



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Annexure - B/13  
[Collectively]

**Prof. N. Saitou**

Dept. of Genetics  
National Institute of Genetics  
University of Tokyo  
1111 Yata, Mishima, 411 - 8540  
JAPAN  
Phone : +81-55-981-6790  
Fax : +81-55-981-6789  
E.mail : nsaitou@genes.nig.ac.jp

**Prof. Takao Inoue**

Professor in Anatomy  
School of Medicine  
Tottori University 4-101  
Koyama - Minami  
Tottori - 680-8550  
JAPAN  
Fax : +81-859-34-8207  
E.mail : a010002@zim.tottori-u.ac.jp

If you want any further assistance, please feel free to contact us.

With kind regards,

Yours sincerely,

Sd/-

(V.K. Kashyap)

28.4.04

Encl. : As stated.

**Sri P. K. Sengupta**

Secretary  
Justice Mukherjee Commission of Inquiry  
B-Block, 3<sup>rd</sup> Floor  
11/A, Mirza Ghalib Street  
Kolkata - 700 087.



Annexure - B/13  
(Collectively)

**Pradyot Kumar Sengupta,**  
**(Former Principal Secretary**  
**to the Government of West Bengal, Judicial Department)**  
**Secretary**

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> Floor), 11/A, Mirza Ghalib Street, Kolkata- 700 087

: 033-2252-2835, 2765/68

Fax : 033-2252-2765

e-mail :  
jmcinscb@cal3.vsnl.net.in

D.O. No. JMCI/EO/2002-2003/83(III)/30

May 06, 2004

**CONFIDENTIAL**

Dear

Please refer to my d.o. letter No. JMCI/EO/2002-2003/83(III)/21 dated April 20, 2004 on the subject of proposed DNA test of the alleged ashes of Netaji Subhas Chandra Bose Kept in the Renkoji Temple ready to which is yet to be received.

In this connection, I am directed to say that the Commission has received the names of two (2) more Japanese DNA Scientists. They are :

- |   |  |
|---|--|
| 1. Prof. N. Saitou<br>Dept. of Genetics<br>National Institute of Genetics<br>University of Tokyo<br>1111 Yata, Mishima, 411-8540<br>Japan<br>Phone : +81-55-981-6970<br>Fax : +81-55-981-6789<br>E.mail : nsaitou@genes.nig.ac.jp | 2. Prof. Inoue<br>Professor of Anatomy<br>School of Medicine<br>Tottori University 4-101<br>Koyama - Minami<br>Tottori - 680-8550<br>Japan<br>Fax : +81-859-34-8207<br>E.mail: a010002@zim.tottori-u.ac.jp |
|---|--|



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(Collectively)

In my earlier d.o. letter, you were requested to furnish the Commission with necessary information about the competence of the Japanese DNA expert Prof. Mamoki Hirai of the Department of Integrated Biosciences, Graduate School of Frontier Sciences, University of Tokyo. Now that the Commission has got the names and particulars of two (2) more DNA Scientists of Japan, I am directed to request you to kindly furnish the Commission with your valued opinion about the competence and suitability of the above-named three DNA scientists for the proposed DNA test of the alleged ashes of Netaji Subhas Chandra Bose kept in the Renkoji Temple, Japan.

As the matter is extremely urgent, an early reply will be highly appreciated.

With

Yours sincerely,

Sd/-

(P.K. Sengupta)  
Secretary

To  
Dr. Lalji Singh  
Director  
Centre for Cellular and Molecular Biology  
Uppal Road  
Hyderabad 500 007



Annexure - B/13  
(Collectively)

**C C M B**

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY  
(Council of Scientific & Industrial Research)  
Uppal Road, Hyderabad - 500 007, India

**Dr. Lalji Singh**  
Director

No. DCCMB/34  
May 17, 2004

Mr. Pradyot Kumar Sengupta  
Secretary  
Justice Mukherjee Commission of Enquiry  
Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> floor)  
11/A, Mirza Ghalib Street  
Kolkata - 700 087

Dear Mr Sengupta,

Please refer to your letters no. JMCI/EO/2002-2003/83(III)/21 dated 20<sup>th</sup> April, 2004 and JMCI/EO/2002-2003/83(III)/30 dated May 6, 2004. As desired by you, we have looked at the profiles of all the three Japanese scientists, whose names you had sent. Of the three scientists, only Prof. N Saitou, Department of Genetics, National Institute of Genetics, University of Tokyo, is working on ancient samples and he can be a suitable scientist to analyse the alleged ashes of Netaji Subhas Chandra Bose. I am herewith enclosing some of his relevant work published in international journals for your information.



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(Collectively)

You are also most welcome to make use of our facility, which was created very recently. However, I would appreciate if someone from your side comes to CCMB with the photographs of the ashes for discussion before we take up this work.

With kind regards,

Yours sincerely,

Sd/-

( Lalji Singh )

(OM) 27160789 International : +91-40-27160252, 27160311  
Telephone : EPABX : 27160222-40 Fax India : 040-27160252, 27160591, 27160311 E-mail : lalji@ccmb.res.in  
(Res) 27160555, 27160556 Website : www.ccmb.res.in

Telegram : Baccat



Annexure - E/13  
(Collectively)

**Pradyot Kumar Sengupta,**  
**(Former Principal Secretary**  
**to the Government of West Bengal, Judicial Department)**  
**Secretary**

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> Floor), 11/A, Mirza Ghalib Street, Kolkata- 700 087

: 033-2252-2835, 2765/0

Fax : 033-2252-2765

e-mail :

jmcinsch@cal3.vsnl.net.in

D.O. No. JMCI/EO/2002-2003/83(iii)/46

May 26, 2004

Dear Sir,

This Commission has been set up by the Government of India for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose, a national leader of India, as the claim of some people that he died in a plane crash at Taihoku on August 18, 1945 and was cremated there and that his ashes were preserved in the Renkoji Temple in Tokyo, is disputed by others. The points of inquiry before the Commission include, inter-alia, the following :-

1. Whether Netaji Subhas Chandra Bose died in the alleged plane crash.
2. Whether the alleged ashes kept in the Renkoji Temple in Japan are ashes of Netaji Subhas Chandra Bose.

A recent inspection of the casket has revealed that it contains :



1. Some pieces of bone fragments greenish in colour,
2. Two flat pieces appearing to be parts of the skull,
3. A brown paper bundle containing what appears to be teeth and other bone fragments ;
4. A thing what appears to be a portion of the jaw with recesses where teeth might have been ;
5. More bone fragments ;

For a thorough and scientific probe into the points of inquiry and, for that matter, to establish the identity of the deceased this Commission intends to get DNA tests done in respect of the above mortal remains. Now the question is whether DNA tests can be conducted on the said mortal remains for the purpose indicated above if blood samples are made available from both paternal and maternal lineage of Subhas Chandra Bose. In other words, the Commission wants to know about the feasibility of DNA tests on the mortal remains for the purpose of establishing the identity of deceased.

Dr. Lalji Singh, Director, Centre for Cellular and Molecular Biology, Hyderabad, India, and Dr. V.K. Kashyap, Director, Central Forensic Science Laboratory, Kolkata, India have highly recommended your name and furnished the Commission with your address and bio-data. They have also made the Commission acquainted with some of your remarkable



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(Collectively)

achievements in this field. Both of them regard you as the right person for the nature of scientific work required to be done for the purposes of this inquiry. If the intended DNA test of the said mortal remains is feasible, the Commission may be informed of the procedure to be followed, steps to be taken and your terms and conditions for rendering your valuable services for this purpose to the Commission.

An early reply will be highly appreciated.

With regards,

Yours sincerely,

Sd/-

( P. K. Sengupta )  
Secretary

To  
Prof. N. Saitou,  
Department of Genetics,  
National Institute of Genetics,  
University of Tokyo,  
1111, Yata, Mishima, 411-8540,  
Japan

D.O. No. JMCI/EO/2002-2003/83(iii)/46/1

May 26, 2004

Copy forwarded to Sri Rajesh, Joint Secretary (IS), Ministry of Home Affairs,  
Government of India, North Block, New Delhi- 110001.

Sd/-

( P. K. Sengupta )  
Secretary



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Annexure - B/13  
[Collectively]

15 : 19 FROM SAITOUNARUYALNIG\_JAPAN TO 00108133

P.01

NATIONAL INSTITUTE OF GENETICS  
MISHIMA, JAPAN

June 11, 2004

Mr. Pradyot Kumar Sengupta  
Secretary  
Justice Mukherjee Commission of Inquiry  
FAX : 033-2252-2765 (2 pages are sent)  
India

Dear Mr. Pradyot Kumar Sengupta :

Thank you for your FAX dated May 26, 2004. I sent email to you on June 1, but it did not reach you (error message is attached). Two days ago, I also received air mail from you. So I decided to send you FAX.

I know that late Mr. Chandra Bose was famous in modern Indian history. But I did not know that his "alleged ashes" are kept in Japan. The DNA examination from such "ash" is usually impossible, because of critical damage to DNA and other biomolecules when a dead human body was burnt down into ash. So only possibility may be to compare morphological similarity between some remnant teeth and/or skull in ash with some other reference material.

At this moment, this is what I can tell to you.  
If you have further question, Please let me know.

Yours Sincerely,

Sd/-

Saitou Naruya. Ph D.  
Professor, Division of Population Genetics, National Institute of Genetics  
Mishima- 411-8540 JAPAN  
TEL : 81-559-81-6790 FAX : 81-59-81-6789  
Email : [usaitou@genes.nig.ac.jp](mailto:usaitou@genes.nig.ac.jp)  
Home Page : <http://saver.lab.nig.ac.jp/~saiton/>



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Annexure - B/13  
(Collectively)

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE.**  
'B' Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata - 700 087

FAX : 033 2252-2765

FAX : 033 2252-2765

No. JMCI/EO/2002-2003/83(III)/88

From : Shri P.K. Sengupta,  
Secretary.

Phone :

Chairman - 2252-2835  
Secretary - 2252-2767

Officer on  
Special Duty - 2252-2765  
Office - 2252-2766/68

e-mail  
jmcinscb@cal3.vsnl.net.in

June 21, 2004

To  
Mr. Saitou Naruya, Ph.D.  
Professor, Division of Population  
Genetics, National Institute of Genetics  
Mishima, 411-8540 JAPAN.

Sub : DNA test of the alleged ashes of Netaji Subhas Chandra  
Bose kept in the Renkoji Temple in Japan.

Dear Sir,

I sincerely thank you for your letter dated 11.6.04 sent by fax.

I am sending herewith six (6) photographs of the alleged ashes kept in  
the Renkoji Temple with the request to kindly examine the photographs and  
give your valued opinion on the following points :-

- I) Whether DNA tests of the objects of the photographs are prima-  
facie possible.

Annexure - D/13  
(Collectively)

- 2) Whether the possibility of DNA text of the aforesaid objects as shown in the photographs can be totally ruled out without preliminary scientific examination of the same.
- 3) If the answer to the serial no. (2) is in the negative then it may kindly be intimated whether you agree to conduct the necessary preliminary scientific examination of the objects to ascertain whether DNA can be extracted or separated for the purpose of DNA tests.

I am also enclosing a copy of a letter dated 12/18.11.2002 giving therein full descriptions of the photographs.

An early reply will be highly appreciated.

With regards,

Yours faithfully,

Sd/-

(P.K. Sengupta)  
Secretary

Enclo : As above.



Annexure - B/13  
(Collectively)

JMCI

**From :** Saitou Naruya <nsaitou@genes.nig.ac.jp>  
JMCI <jmcinscb@cal3.vsnl.net.in>  
**Cc :** nsaitou <nsaitou@genes.nig.ac.jp>  
**Sent :** Friday, July 16, 2004 6:50 AM  
**Subject :** My own assessment after seeing six photos

Dear Mr. Shri P.K. Sengupta :

Thank you for your airmail. I now saw 6 photos you sent to me.  
Because I am not specialized in forensic science, my assessment may not be valid. But my own assessment is that the bones shown in these pictures were apparently from dead body that was burnt, and I think it is unlikely to extract DNA fragments by using PCR (polymerase chain reaction) for individual identification. If you agree, I can send these photos to a Japanese researcher who is specialist on forensic science to get his professional opinion.

Yours sincerely,

Saitou Naruya, Ph.D.  
Professor  
Division of Population Genetics,  
National Institute of Genetics  
& Department of Genetics, School of Life Science,  
Graduate University for Advanced Studies  
1111 Yata, Mishima, 411-8540, Japan  
TEL 81-55-981-6790  
FAX 81-55-981-6789  
Email : nsaitou@genes.nig.ac.jp  
Web : sayer.lab.nig.ac.jp/-saitou/

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[Collectively]

JMCI

From : JMCI <jmcinscb@cal3.vsnl.net.in>  
To : <nsaitou@genes.nig.ac.jp>  
Sent : Tuesday, July 20, 2004 2:08 PM  
Subject : Specialist in DNA and Forensic Science

Dear Prof Saitou Naruya,

I sincerely thank you for your e-mail dated July 16, 2004 in reply to my letter No. JMCI/EO/2002-03/83(III)/99 dated July 5, 2004. I am directed to say that the Commission agrees to your proposal to get professional opinion of a competent Forensic DNA expert on the photographs of the alleged body sent to you.

I am further directed to request you to kindly communicate as early as possible the professional opinion of the specialist in DNA and Forensic Science, as suggested by you, along with your own assessment in regard about the feasibility or otherwise of DNA test of the alleged body as shown by the photographs sent to you.

As the matter is very urgent, an early reply will be highly appreciated.

With regards,

Yours sincerely,

Sd/-

(P.K. Sengupta)  
Secretary

**Justice Mukherjee Commission of Inquiry**  
B' Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata - 700 087  
Fax : 033 2252-2765



Attachment - B/13  
(Collected)

JMCI

From : Saitou Naruya <nsaitou@genes.nig.ac.jp>  
To : JMCI <jmcinscb@cal3.vsnl.net.in>  
Cc : <yamachan@tsuru.med.nagoya-u.ac.jp>; nsaitou<nsaitou@genes.nig.ac.jp>  
Sent : Friday, July 23, 2004 9:31 AM  
Subject : Re : Specialist in DNA and Forensic Science

Dear Mr. Sengupta

I now obtained opinion of a Forensic DNA expert, Dr. Toshimisu Yamamoto at Forensic Medicine Department of Nagoya University School of Medicine. He examined photos I sent to him, and reached the same conclusion as I reached.

All bones and teeth showed that they got high heat, and there is almost no possibility to obtain DNA from these bone material.

Shall I return you photos I received from you via air mail ?

Saitou Naruya, Ph.D.  
Professor  
Division of Population Genetics,  
National Institute of Genetics  
& Department of Genetics, School of Life Science,  
Graduate University for Advanced Studies  
1111 Yata, Mishima, 411-8540, Japan  
TEL. 81-55-981-6790  
FAX :81-55-981-6789  
E-mail : nsaitou@genes.nig.ac.jp  
Web : sayer.lab.nig.ac.jp/-saitou/

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Annexure B/14 (Collectively)

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B/14  
gls)

Pradyot Kumar Sengupta,  
(Former Principal Secretary  
to the Government of West Bengal, Judicial Department)  
Secretary

Justice Mukherjee Commission of Inquiry  
For inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose, Appointed by the Govt. of  
India, Ministry of Home Affairs  
'B' Block (3<sup>rd</sup> floor), 11/A Mirza Ghalib Street, Kolkata-700007

Phone: 033-25542165  
Fax: 033-25542165  
e-mail: [justice@vsnl.com](mailto:justice@vsnl.com)

D.O.No.JMCI/EO/2002-2003/83(III)/269

November 09, 2004

52250056  
10/11/04

Dear

I am directed to request you to kindly refer to your letter No. 25/4/NGO-XII dated 31 May, 2004 regarding DNA test of the alleged ashes of Netaji Subhas Chandra Bose kept in the Renkaji Temple and also to my d.o. letter No. JMCI/EO/2002-03/83(III)/86 dated June 17, 2004 in reply to your letter.

Drawing your attention to the third para of your above-quoted letter dated 31 May, 2004, I am directed to request you to let the Commission know whether any formal request was made to the Chief Priest of the temple and, if so, the result of that request. In my d.o. letter No. 83(III)/86 dated 17 June, 2004 I informed you that the Commission had no objection to the stipulation mentioned in the second sentence of the first para of your above-quoted letter dated 31 May, 2004. Till now no reply to my letter dated 17<sup>th</sup> June, 2004 has been received.

Meanwhile, the photographs of the alleged ashes, as received from the Indian Embassy in Japan, were shown to Dr. Lalji Singh, Director, CCMB at Hyderabad. I am directed to send herewith a copy of his letter No. CCMB/LS dated November 3, 2004 addressed to the Hon'ble Chairman of the Commission in which he has expressed his opinion about the feasibility or otherwise of the DNA test of the alleged ashes.

In view of your notice to the third para of the letter of Dr. Lalji Singh, I would request you to intimate the Commission whether the Chief Priest of the Renkaji Temple would allow or allow a competent person to be deputed by the Commission 'to sort out the potentially 'bits of bones' from the casket containing the alleged ashes for the purpose of ascertaining whether DNA is extracted from such pieces of bones.



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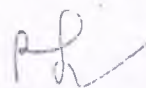
Annexure B/14 (Collectively)

Further action will be taken by the Commission after receiving your reply.

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With regards,

Yours

  
(P.K. Sengupta)  
Secretary


Enc: As above

Mr. L.D. Ralte  
Director (CNV)  
Ministry of External Affairs, Government of India,  
South Block,  
New Delhi 110 001

D.O.No.JMCI/EO/2002-2003/83(iii)/269/1

November 9, 2004

Copy forwarded to Sri U.K. Kalra Director (S), Ministry of Home Affairs, Govt. of India, North Block, New Delhi-110001 for information and necessary action. Copy of the letter NO CCMB/LS dated 3rd November, 2004 of Dr. Lalji Singh, Director, CCMB is enclosed.

  
(P.K. Sengupta)  
Secretary

Enc: As above

सी सी एम बी

अणुवैज्ञानिक जीवविज्ञान केन्द्र  
 (कौन्सिल ऑफ साइंटिफिक अनुसंधान परिषद्)  
 अप्पल रोड, हैदराबाद - 500 007, भारत



CCMB

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY  
 (Council of Scientific and Industrial Research)  
 Appal Road, Hyderabad - 500 007, India

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श्री. लल्लू सिंह  
 निदेश

Dr. Lalji Singh  
 Director

Annexure B/14 (Collectively)

No. DCCMB/LS  
 November 3, 2004

Shri Justice M K Mukherjee  
 The Hon'ble Chairman  
 Justice Mukherjee Commission of Inquiry  
 Kolkata 700 087

Dear Shri Mukherjee,

Shri P K Sengupta, Secretary, Justice Mukherjee Commission of Inquiry for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose came to CCMB, Hyderabad on 2<sup>nd</sup> November 2004 at 10:00 pm. He came to the laboratory on 3<sup>rd</sup> November at 10:30 am and a meeting was held with the Director, CCMB, Dr Lalji Singh and the Scientist-in-charge of the Ancient DNA Facility, Dr K Thangaraj.

The photographs of the ashes supposed to be that of Netaji Subhas Chandra Bose were carefully looked at. From the photographs, it appears that the bones are completely charred leaving very little hope for the survival of DNA. However, on the examination of pieces 4 and 5, it appears that there may be some portions of teeth and jaw bones relatively less charred compared to the other bones. Attempts could be made to bring these pieces of bones, which are relatively less charred to isolate DNA and to establish the identity of the deceased.

The Ancient DNA Facility at CCMB, which has been set-up with the funding support of the Department of Biotechnology (DBT) and Council of Scientific and Industrial Research (CSIR) is fully functional. It is advisable that a scientist, specifically molecular biologist, could be requested to sort out the potentially less charred pieces of bones from a place of its storage in Japan to bring it to India. These selected pieces could be coated in a plastic bag and brought to India at room temperature. It is not required to store the pieces of bones in 'dry ice' container. We are retaining the photographs brought by Shri Sengupta for our records.

With kind regards,

Yours sincerely,

[ Lalji Singh ]



Annexure B/15 (Collectively)MINISTRY OF EXTERNAL AFFAIRS  
NEW DELHIL. D. Ralte  
Joint Secretary (CNV)

D.O. No.25/4/NGO-Vol.XIV

25 April 2005

Dear Shri Roy,

Reference correspondence regarding DNA testing of the alleged ashes of Netaji Subhas Chandra Bose kept in the Renkoji Temple in Japan.

2. JMCI has already been informed vide our letter no. 25/4/NGO-XI dated 31<sup>st</sup> May 2004 that **Reverend Mochizuki**, the Head Priest of the Renkoji Temple in Tokyo, had conveyed to our Ambassador in Tokyo that even though he had reservations from the spiritual angle, he had no objection to a DNA test being conducted on the mortal remains in his custody. It was further conveyed that if the DNA test confirms the remains to be those of Netaji, he would be willing to hand over to India the casket containing the ashes, but he would also like to keep a portion of the remains in the Rankoji Temple in Tokyo. JMCI, when informed of this, had conveyed its 'no objection' to the Head Priest's request.

3. Thereafter, the Mission made a formal proposal to Reverend Mochizuki to allow a competent person from the Centre for Cellular & Molecular Biology (CCMB), Hyderabad to be deputed by the Justice Mukherjee Commission of Inquiry to select the pieces from the mortal remains.

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Annexure B/15 (Collectively)

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4. The response received from Reverend Mochizuki to this formal proposal is enclosed, along with an unofficial English translation. The Chief Priest has agreed to the DNA testing of the remains, but has requested for sufficient notice of the arrival of expert/s from India. He has also requested for recognition of his father and for himself in case of positive confirmation of the DNA testing.

With best regards.

Yours sincerely,

(L. D. Ralte)

Shri M. Roy  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
"B" Block (Third Floor), 11/A, Mirza Ghalib Street,  
Kolkata - 700087

chizuki  
lecular  
kherjee



Annexure B/15 (Collectively)

To Mr. Srinivas,  
The First Secretary of the Embassy of India

Please forgive me for answering to your letter too late.

I wish to express my view as follows :

On December 9, PM Vajpayee visited the Renkoji Temple to pay homage to remains of HE Mr. Subas Chandra Bose, the leader of India's independence movement. It was his second visit to the temple, following the one in his capacity as the Foreign Minister. After the Prime Minister's visit, I heard that a test for remains could be conducted.

A delegation led by Mr. Mukerji visited the Renkoji Temple on September 17, 2002. On that occasion, the persons concerned including myself and Messrs. Masao Hayashi and Shigemoto Okuda of the Chandra Bose Academy gathered. They offered thorough explanations about the death of HE. Mr. Chandra Bose. I have no doubts about the authenticity of the explanations of these relevant individuals. The possibility of conducting a DNA test was not discussed at all in the meeting.

In October, Messrs. Rajasekhar and Armstrong visited the temple and told me to open a casket of remains by order of Mr. Mukerji. I agreed to open it. They took pictures of the scene. On my request to give a statement testifying that I did not take the liberty of opening the casket, they put a paper describing it in the casket. To my great surprise, the picture had appeared in the local newspaper in India. I was strongly shocked to hear of the news.



Annexure B/15 (Collectively)

Colonel H. Raman, Mrs. Sahay, Mr. Iyer and officials of the Japanese authorities concerned visited my father and requested him to keep remains. (Please read an attached paper in which expressed my hope that some remains be kept at the Renkoji temple. May I make one more request. I shall be grateful, if the Indian authorities make an arrangement for us, who have been keeping remains in the past 60 years, to curb the names of my father and myself in a plat in pedestal on which a statue of HE Mr. Chandra Bose is placed in India. If I were allowed to keep some remains, I shall offer prayers for the repose of soul of HE. Mr. Bose Chandra Bose.

Nichiko Mochizuki  
Chief Priest of the Renkoji Temple  
(25.3.2005)



Annexure B/15 (Collective)

"About remains of Netaji Chandra Bose"

By Kyoei Mochizuki  
the Chief Priest of the Renkoji Temple

In this paper Rev. Mochizuki described in details a process of the handover of remains of Chandra Bose to the Renkoji Temple from the day when he was first consulted about a funeral of Chandra Bose; and his involvement in the matter. His interaction with the Indian Embassy in Tokyo and the government of India are also mentioned.

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貴官よりのお手紙を受取りながら、返事が遅れました事を許して下さい。  
また、お詫言にさせていただきます。

二〇〇一年十二月九日に、バジヤ首相閣下が来寺。外務大臣の時を待たずに

蓮光寺に安置しております、インド独立運動指導者 スバス・チन्द्र・ボース閣下の遺骨に参拝  
しました。その後、遺骨に対する調査があるらしい、との話を耳に致しました。

二〇〇二年九月十七日に、ムカルティ氏を団長とする調査団が来寺され、本と、寺の歴史、ブー  
アカデミの林 正夫氏、奥田 重元氏をはじめとする関係者が集まり、チन्द्रボース閣下の遺骨  
の状況を詳細に説明しました。当寺の関係者はかりでしたから、その事実に関連するものは、  
その時には、DNA鑑定の話はまったくありませんでした。

十月にフーシヤセーカル書記官、アーヌストロンク書記官が来寺し、ムカルティ氏の命令で、遺骨を  
開け調査すると言いました。そこで協力しないといけないと考え、開けました。写真を取りました。  
私が勝手に開けたのではない、という事を証明して欲しいと言いました。フーシヤセーカル・アーヌスト  
両書記官は、その事を記したものを遺骨箱に入れておきます。その後、その写真がインド本国や新聞に  
のたて開き、驚き、なんというところをしてくれたんだ、と大きなショックを受けました。

私は父より当時（一九四五年に遺骨を預かった時の話・詳細は別添コピを参照して下さい）  
ビアル・ラマン大佐、サバイ夫人、アイヤ氏、日本の関係機関の人々が、遺骨を持参し、預けて下さ  
り依頼されたのであります。当時日本は敗戦し、米英の占領下で社会情勢の最しい中、遺骨に国境  
は無いとの信念から預かったのです。その時にインドの代表部の方より「このことについては、しばらくお断り  
ください」といふ、との注文もありました。ですから、疑うべくもなくチन्द्रボース閣下の遺骨である  
信じております。さらに、当時のインド代表部・日本の外務省からも、インドの大切な人なだけに、  
お断り、との依頼もありました。そのため父は、事あるごとに、インドの大事なお方だ、万が一



11.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

三、三島の人と國小治を説く。

2

「西アターフボット大使の時にDNA鑑定の結果やり、私も関与してました。当時、父は怒らず、  
 上の国に帰るべきだ」と話しておりました。それなら、DNA鑑定のお話を受けることにより、自分が国  
 に帰るならば、父の気持ちも治まると思い、協力することに致しました。この世に何の事もない時、昔年の  
 西アターフボット大使閣下との対談でも承じた大罪であります。

勿論、遺骨の調査に対し、孝慮と敬意を持って事にあたると同時に、本人の同意を得た上で、骨を取り出す場合は、丁重なる回向を持って処すことと誓います。

蓮光寺の檀家の説明に付しましては、一切私に一任致しております。子サンドボーズカ等……に  
……は、私からお登せようか致します。

二〇〇四年四月九日における、大使館でのとりぎす大使閣下との対談の中で、希望があらわされ、われ、分骨をお願いしましたが、その後この事について考え、新しく希望として、六十年に及び遺骨を返すというので、セント本国のセントトウボース閣下御家の所に父、及び私の名前を頼んでほしいと申し出ております。仮に分骨となつた時、いつでも、従来とおり御回向を願ひます事を申しあげておる三十。

以上、又、又書記官への返信と致します。

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日五十月三年二一五

遊光寺住職  
望月日茂

インド大使館  
スリニバス書記官

長からは印度政府調査団の報告に基く印度政府発行のレポート（題名  
寺及び私の写真六、七張挿入）一冊を寄贈された

またの十三回忌慰霊祭は仏式による重要な行事であり、印度政府調  
査団の公式調査も完了しているので特に関係方面並びに有志の協賛  
を得て最後に執行したい考えである

昭和三十三年七月廿五日



Annex 13/15 (C) 11/11/11

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を考慮してゐるのではないかと伝えられている

昭和三十三年は佐武によるボース氏の十三回忌に相当するので私は六月廿三日外務省及び印度大使館を訪問し、文相で来る八月十八日のボース氏の命日を期し十三回忌追悼慰靈祭を執行したいこと、並びにボース首相来日の節は迎光寺に参拝を希望すること、また遺骨の処遇についての其の後の印度政府の意向の三件について申入を行つた。同様の趣旨をボース首相宛に書面で申送つた、之に対し印度大使館及び外務省は極めて積極的に誠意ある回答を行い、種々の便宜供与を約束した、印度大使館及び日本外務省は察内状の発送について具体的な指示され外務省からは今秋ボース首相来日の際は公式日通の一部として当寺に参拝される旨通知があり、印度大使館情報局

ボース死因調査委員会報告に関する件」として書面が届いた、これによると九月十一日ネール首相は印度議會でチャンドラ・ボース死因調査団の報告書に就て演説し、印度政府は暹光寺にある遺骨をチャンドラ・ボース氏のものであることを認めこのボース氏の遺骨を将来印度に持ち帰り適當の地に記念塔を建立する必要がある、私（ネール首相）は長年に亘り大いなる崇敬の念を以て遺骨の保護に當つて来られた暹光寺住職に対し深甚なる謝意を表すると述べた。然し聞く処によると印度政府が遺骨の本国帰還を直ちに実行しないのは調査団の船員後突兄スレス氏が周囲の者の關係からカボール氏の死を完全に納得して居らず、又印度政府としては特にベンガル州八千万人の國民がボース氏の生存をなお盲信して居るためその影響



Annexure 15 (Collection 1997)

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（ボース夫人）と、ナリ（ナリ）氏等と印度支那  
 館で会談した、その結果右三名は暹羅寺に在る遺骨はボース氏のも  
 のに相違ないと首肯し、直ちに暹羅寺に同道し遺骨と対面した、中  
 でも災兄スレス・ボース氏は遺骨を一目見るやその場に立つて膝ら  
 れず泣き崩れて私の手を執り幾度も感謝の意を表した。

同年六月四日丸の内工業クラブで調査団のため外務省主催のパーテ  
 ーが開かれ席上外務省保管の生前のボース氏の遺姿を納めたフィ  
 ルムを映写し之を調査団に贈つた、この席上でもスレス・ボース氏  
 は私に対し五回に亘り握手を求めその都度私の肩を抱き深謝の意に  
 くれて居た。

同年十月十二日外務省アジア局才四課長から私に宛て「チャンドラ

すると約束した

昭和三十年八月十八日、チャンドラ・ボース氏の命日に印度大使館  
ダウー一等参記官が当寺に来られ大使からの花輪一個を供え十年祭の  
供養を行つた、同年九月十八日には私と壇主一同の主催でボース氏  
十周年慰霊祭を挙行したが参会者は外務大臣（重光葵）日印協会、  
アジア協会、旧日本軍人等約二百名で報道関係其の他一般参拝者も  
多く盛会であつた、印度政府からは「ボース氏の十周年に際しネタ  
ージの偉大を偲ぶと共に其福を祈る、尚蓮光寺住職望月氏の好意を  
深謝する」との電報が寄せられた

昭和三十一年五月三十日私は印度政府派遣のチャンドラ・ボース死  
因調査団団長ナワバカン（鉄道参事官）スレス・ボース（チャンド



昭和二十八年十一月廿七日附で印祝首相ネール氏に直接手紙を出し  
ボース氏の遺骨を如何に処理すべきかを尋ねた、すると昭和二十九  
年一月十二日返答の内に印度大使の代理が来て私にネール首相から  
の返書を示しその内容を読み乍ら印度大統領及びネール首相の名を  
以つてボース氏の葬儀及び遺骨に関する私の努力に対して絶大な感  
謝を示してあること及びその処置に關しては特に私の誠意を信じ日  
本國中私の外に留頓する人は無いから当分遺骨を回向して預つて呉  
れと云われ又新聞記者等には一切話さぬようにと依頼された、右の  
返書には私への物質上の援助云々の語もあつたが私は何の援助をも  
求めたのではなくたゞボース氏の遺骨を納めるにふさわしい厨子の  
必要を感じたので之を贈ると大使代理はその由をネール首相に報告

したが、その後間もなくラウル氏が大使となつて来朝し、当寺へも三度参詣して、その都度私に感謝の意を述べ、諸事よろしくと依頼された。昭和二十八年二月下旬私は印度大使館の招きにより同大使館に赴き、ラウル大使と会談した。その時ボース氏の遺骨に関する大使館側の答類を前にして私は自分の考えと最初からの事情を詳細に述べた。その会談の内容は全部大使館側が記録した。尚その席上大使はボース氏の遺骨に就て之を利欲に利用せんとする者があるらしいので困つてゐる、貴下が主催する供養は当然だが何等かの目的に利用するよりな者は全部拒否する方針であるから外部の者の不純な策動には榮ぜられない様にとの言葉をあつた。

これと前後して遺骨の保管に就て種々複雑な事情も生じたので私は



Annexure C/15 (Collected)  
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ル氏は昭和二十五年五月二十一日外務省蔵書課長の案内で当寺に参  
詣した、又当時ボンベイ情報官に就任していたアイヤ氏も同年五月  
及び六月に遺骨の調査に来て事案を確認して帰国した、同年五月二  
十八日、外務省蔵書課長田村幸久氏と共に印度大使館一等書記官ト  
ラベル氏が突然迎えに来て、私を印度代理大使チエトゥル氏の午後  
会に招待した、チエトゥル氏は公用で出席出来なかつたが、その時  
に田村氏は、貴下は日本の為にも善い事をして呉れたが、貴下の行  
動如何によつては日印関係に重大な影響があると言ひ、トラベル一  
等書記官は私に対し貴上の敬意を示しボース氏の為に身命を賭した  
ことを深く感謝した

同年七月アイヤ氏が印度に帰る前に、チエトゥル大使は當時を再訪

れる事になつた、聞く所に依れば彼等は一昼夜の軍法會議を離れて印  
度軍の要職についたとのことである。遺骨の保管に就ては關係印度  
人はその安全について異常の警戒心を抱いて居たが、これは当時の  
日本の社会状態や遠駐軍の關係からして當然のことと思はれ、私も  
この様な遺骨を長く安全に護持するとは生やさしい事ではなく、  
命を賭しての覚悟がなければならぬと決心した、關係印度人が本  
國へ歸つてからはほとんどお詣りする者もなく私も彼等が帰國の際  
貴方だけは絶対に信頼するからという言葉に応え宗教的的信念から遺  
骨の安全と供養に専念してきた

昭和二十五年サンフランシスコ平和會議の頃になるとボーム氏のこ  
とも一部の新聞に報道されるようになり在日印度代領部のチエトウ



九月十八日午後八時、東京裁判所に入場し、その結果  
 として、私は裁判官に就する地位の裁判官として、臨時裁判官として、  
 夫人、アイア氏、木村日記氏、ボース氏、副裁判官五、六十名、  
 参謀本部将校と思はれる平服の日本人、その他の印度人及び日本人  
 を加えて約百人が参集した。私は遺骨を参謀将校並にムルテイー氏  
 より受取つて、仏壇の正面に安置し、伴僧六人と共に弔儀を執行した。  
 式終了後、ムルテイー氏から遺骨を預つて欲しいと申入れを受けた。  
 私は一時的に預るのだと思つたから受取書も、預り書も出さないま  
 せ、秘蔵の裡に之を保管することになつた。その後毎月十八日の命日  
 には、数名の印度人が秘かに参詣して供養して居たが、十一月十九日、  
 当時印度独立軍に属する在日印度人は英國戦犯として本國に送還さ

ネタジ・チヤンドラボース氏の遺骨に就て

蓮光寺

杉並区高円寺二丁目一三〇  
住職 望月 敬 榮

昭和二十年九月十八日午前八時、堀の内妙法寺の役僧柿川氏が当  
寺に来られ、極秘の内談として同年八月十八日台北飛行場で飛行機  
事故で死亡した印度独立軍最高司令官スバス・チヤンドラ・ボース  
氏の葬儀を妙法寺に依頼されたが妙法寺の住職堀日正師は老体の故  
を以て不安を感じその他の各寺院も種々の事由をあげて拒絶したた  
め、蓮光寺の住職なら或は引受けるかも知れぬと旨うので相談に来  
たと言はれた、私は鑑現には國境は無いのみならず死者に回向する



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Annexure B/15 (Collected)

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Annexure - B/L  
[Collectively]

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
For INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
"B" Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata - 700 087

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2766  
Office - 252-2766/6

Fax : 033 2252-2765

e-mail:  
jmcinseb@cal3.vsnl.net

NO. JMCI/EO/2002-03/83(IV)/33

May 20, 2005

From : The Secretary  
Justice Mukherjee Commission of Inquiry

To  
The Joint Secretary (CNV),  
Ministry of External Affairs,  
Government of India,  
New Delhi - 110001.

Sub : Proposed DNA test on the alleged ashes of Netaji Subhas  
Chandra Bose kept in the Renkoji Temple in Japan.

Sir,

I am directed to refer to your D.O. letter No. 25/4/NGO-Vol. XIV date April 25, 2005 received by this Commission on May 2, 2005 on the above subject and to state certain facts before replying to your letter under reference.



Annexure - B/15  
(Collectively)

On June 16, 2004 the Commission received from the Director (CNV), Ministry of External Affairs, Government of India, New Delhi his letter No. 25/4/NGO-XI dated May 31, 2004 in which the Commission was informed that the Head Priest of the Renkoji Temple had given his clearance for the DNA test on the mortal remains lying in his custody subject to the condition that in the event of those remains being confirmed, on such test, to be those of Netaji, he would be willing to hand over to India the casket containing the ashes after keeping a portion of the remains in the Renkoji Temple in Tokyo. If in consideration of the aforesaid offer of the Head Priest, the Commission, it was further stated in that letter, decided to conduct the DNA test, a formal request would have to be made to the Head Priest, and Ministry of External Affairs would be happy to discuss the further steps to be taken in pursuance of such decision of the Commission. In reply, the Commission addressed its D.O. letter No. JMCI/EO/2002-03/83/(III)/86 dated June 17, 2004 to the Director (CNV), Ministry of External Affairs confirming its decision to conduct the DNA test on the ashes, communicating its acceptance of the Head Priest's offer in toto and requesting the Ministry to take further necessary action in the matter. While the Commission was awaiting the Ministry's response in this regard, it (the Commission) received from the Centre for Cellular and Molecular Biology, Hyderabad their letter dated November 3, 2004 containing an advice for collection of potentially less charred bone pieces from the ashes kept at the Renkoji Temple and transmission of the same to India for the purpose of ascertaining the feasibility of the proposed DNA test. A copy of that letter was forwarded by the Commission to the Director (CNV), Ministry of External Affairs along with its D.O. letter No. JMCI/EO/2002-2003/83/(III)/269 dated November



Annexure - B/1  
(Collectively)

9, 2004 with a request to let the Commission know whether the Renkoji Temple authorities would accede to a request to allow a competent person to be deputed by the Commission to sort out the potentially less charred pieces of bones from the casket containing the ashes lying with the Renkoji Temple. The Commission forwarded a copy of that letter together with a copy of the enclosure thereof to the Director(S), Ministry of Home Affairs, Government of India, New Delhi also for information and necessary action. Copies of those correspondence are enclosed for ready reference.

The letter under reference which is, in fact, your reply to the Commission's D.O. letter dated November 9, 2004 referred to above reveals inter alia, that the Indian Mission in Japan having made in deference to the Commission's request a formal proposal to the Head Priest of the Temple to allow a competent person to be deputed by the Commission for the purpose of selection of potentially less charred bone pieces from the mortal remains lying with the Temple, the Head Priest had sent a reply thereto, agreeing to the DNA testing of the remains. A copy of the Head Priest's reply together with English translation thereof has also been made available to the Commission along with the letter under reference. The reply received from the Head Priest does not, however, answer much less approve the formal proposal forwarded to him at the instance of this Commission.

In the circumstances stated above, I am further directed to request you kindly to persuade the Temple authorities to give their consent to selection of potentially less charred bones from the casket in terms of the



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Appendix - B/A  
(Collective)

fourth paragraph of the Commission's D.O. letter dated November 9, 200 referred to above so as to facilitate the DNA testing without further loss time.

Encls : As above.

Yours faithfully

Sd/-

Secretary

May 20, 200

No. JMCI/EO/2002-03/83(IV)/33/1

Copy with copies of enclosures forwarded to :

The Joint Secretary (S),  
Ministry of Home Affairs,  
Government of India,  
New Delhi- 110 001 - for information and favour of taking necessary action

Encls : As above.

Sd/-

Secretary

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Annexure - I/75  
(Continued)

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**  
For INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE**

"B" Block, (Third Floor)  
11/A, Mirza Ghalib Street, Kolkata - 700 037

Phone:

Chairman - 252-2635  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2765  
Office - 252-2766

Fax : 033 2252-2765

NO. JMCI/EO/2002-03/83(IV)/75.

Gmail:  
mcinseb@cal3.vsnl.net.in

Kolkata, dated. 4.7.05

From : The Secretary, JMCI

To  
The Joint Secretary,  
Ministry of External Affairs,  
Government of India,  
South Block,  
New Delhi - 110001.

Sub : Proposed DNA test on the alleged ashes of  
Netaji Subhas Chandra Bose kept in the  
Renkoji Temple in Japan - the required  
consent of the Head Priest/Temple  
Authorities in the matter.

Sir,

I am directed to refer to the correspondence on the above  
subject referred to in the Commission's letter no JMCI/EO/2002-  
03/83(IV)/33 dated 20.5.05 addressed to the Jt. Secretary, MEA,  
Govt. of India and to request you to kindly persuade the Head Priest  
or the Competent Authorities of the Renkoji Temple to give their  
consent to selection of potentially less charred bones from the basket.



Annexure - B  
(Collective)

kept in the temple containing alleged mortal remains/ashes of Netaji Subhas Chandra Bose, for the purpose of proposed DNA test thereof as is being solicited from the said Temple Authorities through MEA, Govt. of India by the Commission.

Yours faithfully

Sd/-

( M. R.  
Secret

No. JMCI/EO/2002-03/83(IV)/75(1)

Dated 4.3.

Copy forwarded to the Jt. Secretary, Ministry of Home Affairs, Govt. of India, North Block, New Delhi- 110001 for kind information and favour of taking necessary action.

Sd/-  
( M. R.  
Secret



Annexure-C  
(Collectively)

JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 17.01.2001 (Seventh)  
Held at the Seminar Hall, Annexe Building, Mahatma Sadan,  
166, Chittaranjan Avenue, Calcutta 700 007

Proceedings

17<sup>th</sup> January 2001

In terms of the order passed in the last sitting of the Commission on 22.12.2000, the two applications (filed through affidavits) by Shri Kamal Pande, Secretary to the Government of India, Ministry of Home Affairs, and Shri Jamail Singh, a Joint Secretary in the Prime Minister's Office, claiming privilege in respect of the contents of the documents referred to in their respective applications have been taken up for further hearing.

At the commencement of the hearing Mr. Paul has submitted that lest the Commission holds that Shri Jamail Singh being a Joint Secretary is not competent to claim privilege in view of the provisions of Sections 123 of the Evidence Act, he may be permitted to file a supplementary affidavit affirmed by Shri M.K. Singh, Secretary in the Prime Minister's office fully supporting the claim of Shri Jamail Singh within a day or two. The prayer has been allowed. Thereafter the learned Counsel for the parties, including the learned Counsel for Government of India, have been heard at length on the claim of privilege. Necessary Orders in this regard will be passed in due course.

(M.K. Mukherjee)  
Chairman.



ORDER25.1.2001

Sri Kamal Pande, Secretary to the Government of India, Ministry of Home Affairs, has filed an application through an affidavit claiming privilege in respect of the following files pertaining to Netaji Subhas Chandra Bose :-

- i) Bringing the ashes of Netaji kept in Renkoji Temple in Tokyo, Japan to India; and
- ii) Posthumous announcement of award of 'Bharat Ratna' to Netaji ;

The privilege has been claimed under Sections 123 and 124 of the Evidence Act and Article 74 (2) of the Constitution of India.

Similar claim under Sections 123 and 124 of the Evidence Act has been made in another affidavit by Sri Jarnail Singh, a Joint Secretary in the Prime Minister's Office, in respect of documents dealing with the following issues :-

- i) Controversies regarding Netaji's death and bringing his ashes in India from Japan ; and
- ii) Identity of Mrs. Anita Puff, daughter of Netaji Subhas Chandra Bose.

Later on, with the permission of the Commission Sri H.K. Singh, Secretary in the Prime Minister's



Office has filed a supplementary affidavit supporting the claim of Sri Jarnail Singh. The learned Counsel for the deponents before the Commission raised a threshold question as to the maintainability of the claim on the grounds that none of the affidavits specifies the documents in respect of which privilege was being claimed nor do they indicate the reasons why it is apprehended that their disclosure would lead to injury to public interest. To bring home their contentions they have taken me through the averments made in the affidavits and relied on various judgments of the Supreme Court in this regard. Particular reference has been made to the Constitution Bench judgments of the Supreme Court in State of Punjab vs. S.S. Singh, AIR 1961 S.C. 493 wherein Gajendragadkar J. (as His Lordship then was), speaking for the majority, observed as under :-

" The sole and the only test which should determine the decision of the head of the department is injury to public interest and nothing else. Since it is not unlikely that extraneous and collateral purposes may operate in the mind of the person claiming the privilege it is necessary to lay down certain rules in respect of the manner in which the privilege should be claimed. We think that in such cases the privilege should be claimed generally by the Minister in charge who is the political head of the department concerned; if not, the Secretary of the department who is the departmental head should make the claim; and the claim should always be made in the form of an affidavit. When the affidavit is made by the Secretary the Court may, in a proper case, require an affidavit of the Minister himself. The affidavit should show that each document in question has



been carefully read and considered, and the person making the affidavit is satisfied that its disclosure would lead to public injury. If there are a series of documents included in a file it should appear from the affidavit that each one of the documents, whose disclosure is objected to, has been duly considered by the authority concerned. The affidavit should also indicate briefly within permissible limits the reason why it is apprehended that their disclosure would lead to injury to public interest. (emphasis supplied).

Reliance was also placed in *Amarchand Butayel vs. Union of India*, AIR 1964 SC 1658 wherein the above quoted principle was reiterated. Lastly, the attention of the Commission was drawn to the following passage from the judgment of Supreme Court in *R.K. Jain vs. Union of India* (1993) 4 SCC page 120.

"It is now settled law that the initial claim for public interest immunity to produce unpublished official records for short "State documents" should be made through an affidavit generally by the Minister concerned, in his absence by the Secretary of the department or head of the department. In the latter case the court may require an affidavit of the Minister himself to be filed. The affidavit should indicate that the documents in question have been carefully read and considered and the deponent has been satisfied, supported by reasons or grounds valid and germane, as to why it is apprehended that public interest would be injured by disclo-

sure of the document summoned or called for.  
If the court finds the affidavit unsatisfactory  
a further opportunity may be given to file  
additional affidavit or he may be summoned for  
cross-examination. If the court is satisfied  
from the affidavit and the reasons assigned  
for withholding production or disclosure, the  
Court may pass an appropriate order in that  
behalf. " (emphasis supplied)

In responding to the above contentions of the  
learned Counsel for the deponents, Mr. Pal appearing  
for the Union of India submitted that the affidavits  
clearly indicate that the privilege has been claimed  
in the line of the observations of the Supreme Court  
in the above cases and therefore, no exception could  
be taken to the same. He, however, fairly submitted  
that if the Commission felt that the affidavits were  
unsatisfactory, the Secretaries concerned may be given  
an opportunity to file additional affidavits, as  
observed by Supreme Court in R.K. Jain (Supra).

To find an answer to the above questions  
I have carefully gone through the affidavits and files.  
Unlike the affidavits filed on behalf of the Prime  
Minister's Office wherein not only the documents have  
been specifically mentioned but also the notes appear-  
ing therein (Annexure I and IA respectively to the  
affidavits), in respect of which privilege has been  
claimed, the Ministry of Home Affairs have claimed  
privilege in respect of the entire contents of their  
two files. On perusal thereof, I find that these files  
not only contain official notes and correspondences  
between the Ministry of Home Affairs, Prime Minister's  
Office and other Ministries but also records of Par-  
liamentary proceedings, newspaper cuttings, open



Annexur  
(Collect)

letters sent by eminent citizens to the Ministry of Home Affairs and similar other documents. Apparently the latter class of documents cannot answer the description of 'secret' documents nor do they assume such a character simply by their inclusion in files marked "TOP SECRET". In that context, it was obligatory on the part of the Secretary of Ministry of Home Affairs to specify the documents in respect of which privilege was being claimed. So far as furnishing of the reasons as to why it is apprehended that the disclosure of the documents in the files would lead to injury to public interest is concerned, the only reason that has been given in the affidavit is that disclosure of the records would cause injury to India's relation with some friendly foreign countries. Whether the above reason is appropriate one or not need not be decided at this stage but suffice it to say that the reason is not even available to other documents appearing in the files. In all such circumstances, the Ministry of Home Affairs was also required to indicate the specific reasons for which the contents of the other relevant documents in the file should not be disclosed.

For the foregoing discussion, the Secretary, Ministry of Home Affairs is directed to file a supplementary affidavit regarding their claim of privilege keeping in view the observations made hereinbefore and the principle laid down by the Supreme Court as to the manner in which it is to be claimed. The supplementary affidavit should be filed within a month of communication of this Order. Let a copy of this Order alongwith the files received from the Ministry of Home Affairs be sent for their response.



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So far as the affidavits of Prime Minister's Office are concerned, they undoubtedly specify the documents and the notes in respect of which privilege is claimed. As regards the documents pertaining to the identity of Mrs. Anita Puff, daughter of Netaji Subhas Chandra Bose, the same are not relevant to the terms of reference and hence the same may be sent back. The other documents and notes relate to correspondence between the Prime Minister's Office and the Home Ministry; and the same also find place in the files of Ministry of Home Affairs in respect of which privilege has been claimed. In all such circumstances, appropriate Orders regarding the merits of the claim of privilege in respect of those documents will be made on receipt of response of the Ministry of Home Affairs to this Order.

*(Signature)*  
(Monoj Kr. Mukherjee)  
Chairman



JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRYJune 7, 2001

In compliance with the order dated January 25, 2001, passed by the Commission, Sri Kamal Pande, Secretary to the Government of India in the Ministry of Home Affairs, filed a supplementary affidavit on June 7, 2001 specifying the documents in respect of which privilege is being claimed by him under Article 75(3) of the Constitution of India and sections 123 and 174 of the Evidence Act. On receipt of the affidavit, the Ministry of Home Affairs was asked to send back the files containing those documents which have been received.

After perusing the documents in question, I feel that it will be appropriate to pass necessary orders in this regard after our visit to London to study the declassified records pertaining to Netaji Subhas Chandra Bose at the British Library and to examine certain persons as witnesses there.

Let a copy of this order be forwarded to the Secretary to the Ministry of Home Affairs.

(M.K. Mukherjee)  
CHAIRMAN



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JUSTICE M.K. MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated December 9, 2004 ( 31<sup>st</sup> )  
Held at Seminar Hall, Annex Building, Mahajati Sadan,  
166, Chilla Ranjan Avenue, Kolkata-700007

Order 1  
December 09, 2004

In my order dated June 7, 2001 I had observed that necessary order regarding claim of privilege of the Government of India in respect of the documents listed in the affidavit dated November 29, 2000 of Sri Jarnail Singh, a Joint Secretary in the office of the Prime Minister, read with the supplementary affidavit dated January 16, 2001 of Sri Nand Kishore Singh, Secretary in the Prime Minister's Office, and in the supplementary affidavit dated April 27, 2001 of Sri Kamal Pande, Secretary to the Government of India in the Ministry of Home Affairs would be passed after the Commission's visit to England to peruse relevant records in the British Libraries and examine certain persons in England. While making the above observation I had held that the documents pertaining to the identity of Mrs. Anita Puff, daughter of Netaji Subhas Chandra Bose, were not relevant to the terms of reference and had accordingly directed that the same might be sent back.

After return from England it was felt by me that all relevant documents and files relating to the terms of reference as made available to the Commission from time to time by different agencies including Government of India are also required to be studied before deciding the claim of privilege. Now that such study is over, I proceed to pass the necessary order. To enable me to do so I have carefully gone through each of the documents in respect of which privilege has been claimed and correlated the same with other documents lying with us till date.

In view of the earlier order dated June 7, 2001 the documents in respect of which claim of privilege subsists deal with the following issues :-

- ✓ i) Controversy regarding Netaji's death;
- ✓ ii) Bringing the ashes of Netaji kept in the Renkoji Temple in Japan to India, and
- ✓ iii) Posthumous announcement of Award of Bharat Ratna to Netaji

The documents in question contain notes/minutes prepared by officers of the Ministries concerned, and notes for the Committees of Secretaries / Cabinet expressing their opinion and suggesting courses of action on basis of the materials available to them on the above issues. Since those materials are available to this Commission also - besides other materials - and since independent of the opinions / views expressed in the documents in question and without being in anyway influenced thereby this Commission has to form its own opinion, this Commission is of the view that the documents in question are neither necessary nor relevant for answering the terms of reference of this inquiry. Resultantly, the question whether the claim of privilege in respect thereof is justified or not need not be answered. With these observations the applications seeking



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Annexure-C  
(Collectively)

claim of privilege are disposed of. Let the above documents be segregated from other documents in the files examined and returned to the respective Ministries

(Monoj Kumar Mukherjee)  
Chairman

Annexure - C/1

## Memorandum of visit to Taipei &amp; Bangkok

As scheduled, I visited various establishments of the Government of Taiwan and the local government of Taipei city on January 26<sup>th</sup> and 27<sup>th</sup> 2005. On both the days Mr. Subroto Bose, one of the deponents in the inquiry was present all along. Also present was Mr. Sean Hsu, an officer of the Ministry of Foreign Affairs of the Government of Taiwan who, besides liaising, acted as the interpreter. On the second day another deponent, Professor Nandalal Chakraborty, and Mr. Keshab Bhattacharjee, learned Advocate of the Calcutta High Court appearing for some of the deponents were also present.

On 26<sup>th</sup> January, 2005 I first went to the office of the Taipei City Government and talked to Mr. Victor W.K. Chu, Chief of Protocol, and Mr. Hsiu - Lian Lin, Senior Specialist, Department of Health of Taipei City Government. In course of the talk I drew their pointed attention to the e-mail sent by Mr. Anuj Dhar, a Journalist working for the on-line version of the English daily newspaper Hindustan Times, on March 4, 2003, whereby he had asked the Hon'ble Mayor of Taipei city to let him know if any plane crashed in Taipei on 18<sup>th</sup> August, 1945 and the e-mail reply sent by the



Annexure - C/1

Secretariat of the Taipei City Government to him (Mr. Dhar) to say that according to historical documents in the Taipei City Archives there was no record of plane crash in Taipei on that date. As the above two officers admitted the receipt of the e-mail of Mr. Dhar and their response thereto, they were requested to furnish the 'historical documents' referred to in their e-mail. They stated that the above information was based solely on contemporary newspaper reports kept in their Archives; and when asked to produce the newspapers of the material time, they said that those were destroyed in a major flood in 2001. They however suggested, in reiterating the suggestion given in the e-mail, that Historica Sinica or their Foreign Ministry might be contacted. Accordingly, I went to Historica Sinica and met Ms. Chuang Shu Hua, Director of the Institute of Modern History. She said that the records maintained by them were till the year 1926 and advised me to go to the Institute of Taiwanese History.

In the Institute of Taiwanese History on searches made for the records of 1945, it was found that there were three reports relating to 'Bose'

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-3-

Annexure C

in 'Central Daily News' published from Taipei: one of September, 1945 and the other two of 1946 & 1947. Copies of those newspaper reports have been obtained and, on return, I have taken steps to get them translated into English. Searches for report in that newspaper of any plane accident at the material time were also made but nothing could be found though the local newspapers of the month of August 1945 were available.

The next stop of visit on that day was Tri Service General Hospital the Military Hospital which now replaces the erstwhile Nan Mon Military Hospital at a new site. There I interacted with Mr. Lai Chao Ying, Medical Records Room Chief. He said that the hospital was established on July 1, 1967 and since then records were being kept. He further stated that there was no record with them of the year 1945. When asked about the state of the site where Nan Mon Military Hospital earlier stood, he said that while on a small portion thereof a hospital for female diseases is now being run, on the rest of the land stands industrial houses and buildings.



-4-

Annexure C-1

The last visit on that day was to the alleged crash site, where now stands a Museum, a big hotel (Grand Hotel) and a part of the newly built domestic airport of Taipei.

On the following day (January 27, 2005) I first went to the office of the Ministry of Transportation and Communications (MOTC) and met Mr. Chih-Wen Fang, Section Chief of the department of Navigation and Aviation. When I confronted him with the e-mail message sent by Mr. Li Ling-San, Minister of MOTC to Mr. Anuj Dhar on August 5, 2003, he admitted that it was sent from their office. When asked to produce records on which the information furnished in the e-mail message was based, he said that their office was maintaining records regarding plane crash since 1949 and not from 1945. When he was then requested to explain how they could write in that e-mail message "...after reviewing all hand over records during the period from 8/14/1945 to 10/25/1945, there was evidence shows that one plane had ever crashed at old Matsuyama Airp (now is Taipei Domestic Airport) carrying Mr. Subhas Chandra Bose.

Annexure C/I

However, the most significant and possible accident in the record shows there exists one U.S.C. - 47 transporter carrying 26 people (most of them are believed former American POWs just released from the camps in Philippines) crashed on 09/20-23/1945 in Mt. Trident, Taitung area, which is about 200 nautical miles away from Taipei southeasterly and 3000 feet high", he said that the records referred to in the message were newspaper reports of the material time. According to him absence of any report in the newspapers of any plane crash at old Matsuyama Airport during the period from August 14 , to October, 1945 carrying Subhas Chandra Bose and report of a crash in September, 1945 elsewhere prompted them to say so.

Thereafter I went to the office of the Ministry of Foreign Affairs (MOFA), Taiwan and drew the attention of Mr. Donald C.T. Lee , Director General, Department of East Asian and Pacific Affairs to the certified copy of an entry in the Cremation Register of the Municipal Crematory dated August 22, 1945 which was duly authenticated by the Secretary, Ministry of Foreign Affairs. He said that there was no record in his office for the year in question. He however stated that there is a file regarding Netaji maintained for the years 1966 to 1970 but it contained no document relevant



Annexure C/1

to our inquiry. He advised me to go to the National Archives for the purpose. At this stage Mr. Shu volunteered that there were four volumes of documents in the National Archives of the years 1943, 1956, 1967 and 1973 which contained reference to Netaji. When requested to furnish the relevant documents therefrom he said that he would need two weeks' time to do so.

I next went to the Taipei Municipal Funeral Parlour (erstwhile Municipal Crematorium) and met Mr. Tien Hsing - Fa, Embalmer of the crematorium. He said that the crematorium was built in 1964 and records were being kept since then only. He, however, stated that he did not know about the earlier records and suggested that the records of the old crematorium at Hsin Hai Row might be seen.

Accordingly I went to the old crematorium and met Mr. Liu who is in charge of that crematorium. He said that the records of cremation in 1945 might be available. He, however, could not furnish the records immediately.

Annexure C/I

On conclusion of the visit I requested Mr. Hsu to search for the following documents (which were not readily available) and send true copies thereof. Mr. Hsu was kind enough to assure that he will do the needful within a fortnight. The documents are :-

- (i) Daily Newspapers published in and from Taipei between the period from 18<sup>th</sup> to 24<sup>th</sup> August, 1945 if it contained any reference to Netaji Subhas Chandra Bose;
- (ii) Documents relating to Netaji Subhas Chandra Bose said to be available in the Annual Volumes of Documents of the years 1945, 1956, 1967 and 1973 maintained in the National Archives of Taiwan and
- (iii) Documents relating to cremation of dead bodies of all persons during the period from 18<sup>th</sup> to 24<sup>th</sup> August, 1945 in the old crematorium in Taipei which are said to have been kept in the said crematorium.



On the following day (January 28, 2005) I left for Bangkok and reaching there examined Mr. Husamuddin B. Kapasi, Ex-President, Indian Thai Chamber of Commerce as he had, in response to a public notice published in Bangkok at the instance of this Commission, written a letter asserting that Netaji died in a plane accident in Taihoku but the ashes kept in the Renkoji Temple were not of Netaji. Mr. Subroto Bose, Professor Chakraborty and Mr. Bhattacharya were present at the time of recording his deposition.

Sd/- M K Mukherjee  
Chairman  
31.1.2005

Memorandum of visit to different places in Russian Federation

5.10.2005 In view of the statements (supported by affidavits) filed by some of the deponents and evidence of some of them that Netaji sneaked into the erstwhile USSR and stayed there after his alleged death in a plane accident on August 18, 1945, the Commission decided to go there to examine some witnesses and visit various archives. For that purpose the Commission had had been making written requests to the Government of India since February, 2001 to permit it (the Commission) to visit that country and for that purpose to draw up a programme. Ultimately, the Government agreed to the Commission's proposal and finalized a programme for a visit during the period from September 20 to September 30, 2005.

In terms of the said programme the Commission reached Moscow in the early hours of September 20 and on that very day went to the Indian Embassy to examine five witnesses. Two of the three witnesses present, namely, Mr. E.N. Komolov and Mr. V.K. Touradjev were examined in presence of six of the deponents and Mr. Keshab Bhattacharya, learned counsel of the deponent All-India Forward Bloc. The deponents were Dr. Madhusudan Pal, Prof. Nandalal Chakraborty, Dr. (Mrs.) Purabi Roy, Shri Subrata Bose, Shri Monoranjan Ghosh and Dr. Ruma Banerjee. The other witness viz. Mr. A.V. Raikov, could not be examined as he wanted a book authored by him in Russian language to be exhibited. The title of the book reads as "The most dangerous hours of India" (as translated in English). As according to him, it contained one chapter relating to the mystery of Netaji's disappearance it was felt that the contents of the said chapter should be gone through.



before examining him. His examination was therefore, deferred until 21.09.2005 and the Embassy was requested to get it translated into English by 21.09.2005. Two other witnesses, namely, Mr. A.K. Kolesnikov and Mr. Y. Kuznetsov, were not present as the Embassy gave the Commission to understand that Mr. Kolesnikov was working in the Russian Embassy in Ankara (Turkey) and the other had expressed his inability to meet the Commission. On the following day (22.09.2005) the Commission first visited the Institute of Oriental Studies (IOS), Moscow, where it interacted with seven scholars and historians who claimed to have done some research on Netaji. However, nothing relevant to the terms of reference of the Commission could be gleaned from the discussion with them. Some of the deponents present also participated in the discussion.

In that Institute the Commission wanted to look into the private archive of Prof. Luisternik, as according to some of the deponents, it (the archive) was likely to have some materials regarding Netaji. The documents in the archive, however, could not be examined as the Director of the Institute told the Commission that she could not find time to look into the documents but assured that she would go through the same and in due course let the Commission know if there was any material relating to Netaji. She has now sent a letter to the Commission through Dr. Paratykov intimating that there is no relevant document.

On the same day the Commission examined Prof. Raikov in the Institute of Oriental Studies and in course thereof drew his attention to the relevant chapter of the book and asked him whether the contents of the said chapter were based on documents available in

archives. His answer thereto was that the chapter was written solely on the basis of materials available in different books including that of Mr. Humi Shah, and not on the basis of any archival materials. Indeed, according to him, he did not have access to any of the archives in Russian Federation. After the examination of Prof. Raney was over Dr. (Mrs.) Purabi Roy produced one witness namely Mr. B.V. Sukolov who was also examined.

On the following morning (22.09.2005) the Commission visited Russian State Archive of Socio-Political History and met the Director of the archive. He stated that there are two files relating to Bose's family - one on Subhas Chandra Bose and the other on Sarat Chandra Bose. The former contained several reports on Netaji published in the Russian daily "Tass" and some newspapers, including Hindustan Standard, and Amrita Bazar Patrika of India, and of China and London, covering the period from 1942 to 1956. It need be mentioned here that earlier the Government of India had at the instance of the Commission, sent copies of the documents in the above file of Netaji duly translated into English to the Commission and on inspection it was found that it did not contain any material relevant to its terms of reference.

On the same day the Commission visited the Russian State Archive of Audio-documents where recorded speeches of dignitaries of different countries including India are preserved. Though the speeches of Dr. Radha Krishnan, V.K. Krishna



Annexure - C/2

Menon, Jawahar Lal Nehru and others of India were available. there was none of Netaji.

The Commission left for and reached Omsk on that night and on the following day (23.09.2005) visited the State Archive of Omsk region where it met the Regional Director and the Head of the Archive only to be told that there was no document available there relating to Subhas Chandra Bose. They also produced two volumes containing documents relating to persons of that region sent to the concentration camp but there was no mention of Bose in those volumes.

Next day, i.e. on 24.09.2005, the Commission left for and arrived at Irkutsk but that being a Saturday, the Commission had to wait till September 26, 2005, (Monday) to visit the State Archive of that region where the members of the Commission were received by the Director of the State Archive. He stated that the records in the archive were checked to ascertain whether there was any document regarding presence of Bose in that region but none was found. He added that there were three other archives, viz., Archive of Modern History, Archive of the Regional Police, and the Regional Archive of SSB and that on inquiry there he learnt that those archives also did not have any document relating to Bose. On the day following (27.09.2005) the Regional Director of the Archives of that region met the Commission only to confirm what was said by the Director of the State Archives on the day before.

On 28.09.2005 the Commission reached St. Petersburg and on the day following (29.09.2005) met the Director of the Central State Archive of that region. The Director informed the Commission that their archive did not preserve files / documents relating to diplomatic relations, military affairs and foreigners and those files / documents might be available with the Ministry of Foreign Affairs, Defence Ministry and Secret Services. According to her, their archive preserves documents only relating to official communication and information about the political / executive organs of their region. Therefore, she said, the question of their keeping records / information relating to 'Bose', if any, did not and could not arise.

The work of the Commission regarding examination of the witnesses and the visit to the archives being over, it left for India in the morning of September 30, 2005.

Before parting with the memorandum, it need be mentioned that Mr. Sugand Rajaram, Second Secretary (Political Affairs) of the Indian Embassy, Moscow accompanied the Commission during its entire visit and acted as the interpreter.

Chairman







(Collectively)

Extracts from 'Cricket - A Bridge of Peace'  
by Mr. Shabaz M. Khan

While I was in Calcutta, I read a small newspaper item from the inner pages of an English daily about a meeting of the Subhash Chandra Bose Society. This right-wing based society still believed that their leader, who mysteriously disappeared on a flight to Tokyo on August 1947, was still alive and would like a messiah, returned to lead his people. The news item sought information from any source regarding Subhash Chandra Bose. I eagerly responded, there and then, to the item because through a bizarre coincidence, I was privy to an eye-witness account of Subhash Chandra Bose's death. That news item took me, like a flashback in a film, to the eye-witness account which was related to me in Kashgar, of all places, in 1967, during a pioneering visit by a Pakistan Border Trade delegation to Sinkiang to establish the first overland trade exchange between Pakistan and China.

Subhash Chandra Bose was a charismatic, articulate and volatile leader on the anti-colonial scene at a time when India's independence movement was coming to a head in the 1930s and during the Second World War. Even as a school boy, I had recognised Bose's hostility to British rule. He had seemed more strident, uncompromising and violent than that of the other leaders on the scene like Gandhi, Rajendra Jinnah, Patel, Azad, etc. While the Congress and Muslim League had deliberately like gentlemen-looked down their rhetoric against the British during the Second world War, Bose had urged his supporters to raise the tempo of their defiance to the British by urging Indians serving with the British armed services to join the Japanese war effort against the Allies. This defiant approach had led to the formation of the Indian National Army (INA) which fought alongside the Japanese against their fellow-servicing personnel who formed the core of the British armed forces on the Eastern Front. Bose was branded a traitor and his violent anti-colonial stance saw the development of a hardcore political lobby, mainly in Bengal but also in the left wing intellectual circles of India. Thus, Bose became a leading beacon for the mutinous INA. In 1945, at the height of his powers and as a marked man, Subhash Chandra Bose, took a flight from Saigon to Tokyo where he was eagerly awaited by the Japanese leadership. The plane disappeared mysteriously over China and Bose's body was never found.



(collectively)

I now flash forward to February 1967, when serving on the China desk at the Pakistan Embassy in Beijing, China-Chinese relations were particularly warm at the time, China having supported Pakistan in the 1965 Indo-Pakistan War. In the wake of this conflict, Pakistan and China had decided to build an all-weather road across the highest mountain range in the world - the Karakoram, that entailed the Karakoram Highway, roughly following the Silk Route across the Karakoram and must rank as one of the modern engineering wonders of the world. This provides a vital overland link between China and Pakistan. These were formerly connected only by sea and air. Consequently, this overland relationship, Pakistan had its first delegation to Kashgar, the famous historical Silk Road province of Muslim majority region to establish an overland trade exchange. Our visit took place at the Cultural Revolution that had reached as far as Kashgar where we arrived in a small Fokker-27 that had flown a long way across the glaciers of the highest mountain range in the world.

Our four-member delegation that landed in the heart of the world comprised my colleague Muhammad Iqbal, Deputy Secretary in the Ministry of Commerce (Subsequent Bangladesh Ambassador), Ahmed Sahazada, a civil servant at the time, serving in a Gligit, myself, representing the Forest Office, and our leader, the venerable Brigadier (Retired) Habib-ur-Rehman. Thrown together for a while in this outlandish remote, romantic town of Kashgar the four of us struck up a close friendship. We were accommodated in the famous old Residence of the British Resident in Kashgar from where he had presided over the Great Game in Central Asia. There, after a hard day's work and visits to museums, factories and schools, we would sit around a samovar chatting and sipping tea.

It was during one of these intimate, friendly evenings that our leader, Brigadier Habib-ur-Rehman, recounted an extraordinary account of Subhash Chandra Bose's life. Brigadier Habib told us that he had been a leading man of the INA and had been court-martialed on his return to India. On serving out his sentence, he had rejoined the Pakistan Army from which he had retired and was now serving as Resident of the Northern Areas (Pakistan territory adjoining China). Brigadier Habib recounted that in 1944 Bose had selected him as one of his aides and had



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therefore required to accompany his leader on all his journeys.

Brigadier Habib told us that he had accompanied Subhash Chandra Bose on the fateful air journey from Saigon to Tokyo in August 1945. They had boarded the aircraft at Saigon and after a refuelling stop, the plane was flying over northern Taiwan when one of the engines began to sputter. The plane rapidly lost height but the pilot managed to bring it down on a clearing where it crashed into heavy undergrowth. The occupants were severely injured, some dying instantly, others escaping with injuries. Habib himself had been thrown clear as the plane plunged into a thicket because he was sitting near the tail of the aircraft. Though bruised and groggy, Habib found he could still move and ran immediately towards the burning aircraft to see if he could rescue his leader and others who may have survived. When he reached the burning aircraft, he saw the charred body of Subhash Chandra Bose lying beside the aircraft. Bose had seemingly died because his white sharkskin suit had caught fire and burnt his body beyond recognition. Habib confirmed that he along with several survivors had attempted to save their leader but his death had been due to his suit having caught fire rather than due to injuries sustained from the impact of the crash. Habib confirmed that he had been an eyewitness to Subhash Chandra Bose's death.

As a venerable, austere Brigadier gave us his account of the fateful crash, Mohsin, Sahabzada and I realised that we were privy to an extraordinary, eye-witness account of a truly historic occurrence that is still shrouded in mystery. I repeat here only what I heard on that night in Rashdar.

By the evening, our focus was back on the Test match the following day..."



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JWCI

From: <ana@note.gov.tw>  
 To: <anujdhar@yahoo.com>  
 Cc: work1 <work1@mail.sop.gov.tw>  
 Sent: Tuesday, August 05, 2003 6:48 AM  
 Subject: 1^«HjGÄ²j©²²Ü, -³Ü«ó«H¼c (8)

Annexure-D/1  
 (Collectively)

Dear Mr. Anuj Dhar

Thank you for your email dated on 07/19/2003 regarding to the accident happened on 08/16/1945. Your request has been forwarded through Office of the President, Republic of China and Taiwan Ministry of Transportation and Communications and then been processed by Civil Aeronautics Administration.

First, the R.O.C. government drew back Taiwan after WWII, where belonged to Japanese since 1895 as a colony and the precise retrocession date was on 10/25 in 1945. Prior to that date, Japanese colonialists were still responsible of not only military but also civilian activities in Taiwan. Unfortunately, after reviewing all hand over records during the period from 8/14/1945 to 10/25/1945, there was no evidence shows that one plane had ever crashed at old Matsuyama airport (now is Taipei Domestic Airport) carrying Mr. Subhas Chandra Bose. However, the most significant and possible accident in the record shows there exists one U.S. C-47 transporter carrying 26 people (most of them are believed former American POWs just released from the camps in Philippines) crashed on 09/20-23/1945 in Mt. Trident, Taitung area, where is about 200 nautical miles away from Taipei southeasterly and 3000 feet high. All the search and rescue operations in accident were organized by both Japanese and U.S. military authorities while conducted by Taiwanese natives. We may not sure whether U.S. still hold the passenger lists of that crashed plane by the very limited information, but this is the most closest information we could gathered after the most effort we did in this regard.

Sincerely yours,  
 Lin, Ling-San  
 Minister of MOTC

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 1^«HjGÄ²j©²²Ü, -³Ü«ó«H¼c (8)  
 <ana@note.gov.tw>

Exhibit 293 C



JNCI

«ЭЭ»-ийн тусламжтайгаар

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00A4-AB;GIDCIB
00A4-AB;GIDCIB
2014-03-27 09:48:37
00A4-AB;GIDCIB;r=A2230161000-

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Y ^ - z 1 7 p ; A 2 e O J + z ^ « H Y o ^ k s . ' Y H O I ' q O l « H ^ c \$ Y Y i 7 n ^ g ^ o Y ^ - ( Y ^ A D 7 n ^ g ^ o h Y H ' I ^ a O 3 ' 1 5 n ^ g ^ o ^ O ^ e - ^ . 7 ) ; C  
Aw^i^s u^y«^o^o□□. - d - Y - U A o ^ Y A D ^ o : Y ^ - 1 5 n ^ g ^ o

Exhibit 294

~~299~~

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THE DEATH CERTIFICATE : THE CREATION FORM

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100116

The Doctor's Report, reading vertically, and from Left to Right, stated :—

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DOCTOR'S REPORT : Army Hospital, Taihoku.  
From,  
The Taipei Army Hospital,  
To, Taipei, City Health and Hygiene Bureau.  
CHIHJUTA TOYOJI (Name of the Doctor)  
Chenz Si S Kwan (Name of the Japanese University from which the Doc. graduated.)  
The Sea ) of the Doctor.

Date of Death : 21 August, 1945

- Ist line : Certification of death
- II line : ✓ Name : Okara Ichiro (Okara literally meant, I was told, big warehouse of food and Ichiro meant, eldest son.)
- III line : ✓ Sex : Male
- IV line : Birth : Born in Meiji 33rd year April 9th. (In Japanese language it was, 'Ming cha Meiji San Mu San Nen Gogachi Kunich')
- V line : Occupation : 'Taiwan Gunshilepu Dikugun Shoktaku'. He was the obedient officer of the Taiwan Military Government.
- VI line : Cause of Death : Suicide, Poison, By sickness killed, or natural death.
- VII line : Nature of sickness : Heart Attack.
- VIII line : Time of sickness : 17th Aug. 1945.
- IX line : ✓ Time of Death : August 19th, 4 pm
- X line : ✓ Place of Death : Southgate Japanese Army Hospital, Taihoku.
- XII line : Date : 21st Aug. 1945.
- XIII line : Name of the Doctor.
- XI line : Writer's certificate.



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AIRBORNE-5/2  
(Collective)

THE DEATH CERTIFICATE : THE CREMATION PERMIT 92

- 2nd line : Native Place : Tokyo To Shibu Yaku Shrugan Saka.  
Recent Address : Taihoku Shi Nogi Chicho.
- 3rd line : Occupation and Birthdate : Same as in Doctor's  
Report.
- 4th line : Details of Death : Same as in Doctor's Report.
- 5th line : Place to burn : Taihoku : Shukhosetse Khasoba.  
Taipei City Government burning  
place.
- 6th line : Date of Burning : 22nd Aug. 1945, 6 p.m.
- 7th line : His relations : His close friends (In Japanese,  
Chichaz Chi Jin)
- 8th line : Application to Government to burn.
- 9th line : Time of Application : August 21st 1945.
- 10th line : Rank in Army : Formosa Army No. 21123
- 11th line : Name of the Applying Jap. Officer : Yoshimi  
Yaneyoshi Police Station :

\*

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317  
D/350  
Annexure D/3  
(Collectively)

CONFIDENTIAL

76  
Inward Telegram to Commonwealth Relations Office

FROM: U.K. HIGH COMMISSIONER IN INDIA

RPTD: TAMSUI  
HONG KONG  
BANGKOK }  
TOKYO } (SAVING)  
RANGOON }

D: Delhi 14.30 hours 3rd May 1956  
R: 16.03 hours 3rd May 1956

CYPHER

No. 701 CONFIDENTIAL

Addressed Commonwealth Relations Office No. 701, repeated Tamsui No. M144, Hong Kong No. M145, Bangkok No. 7 SAVING, Tokyo No. M145 SAVING, Rangoon No. 3 SAVING (Commonwealth Relations Office please pass Tamsui and Hong Kong).

In view of persistent though probably unfounded rumour that Subhas Chandra Bose leader of the Indian National Army, during the war was not killed as reported at the time in an air crash in Formosa but is still alive, Indian Government have appointed a committee to investigate and if possible establish facts. Committee is headed by Shahnawa Khan, Parliamentary Secretary of the Ministry of Transport, and has two other members, Bose's brother and S.M. Mitra, I.C.S., formerly Chief Commissioner of the Andaman Islands.

2. Commission plans to visit Bangkok, Tokyo and Hong Kong and believe Rangoon but for political reasons is unable to visit Formosa. Indian Government have asked whether H.M. Consul in Taipei could seek out certain Formosan witnesses and obtain a copy of cremation certificate.

3. Names given are Tsan Pi Sha and Chu Chow Tse, nurses, Southgate Military Hospital, Taipei; Dr. Kan King-Yen, Director, Bureau of Health and Hygiene, Taipei; Li Chin Kui and Tan Chi, two clerks at the Bureau of Health and Hygiene, Taipei; and Chu Tse in charge Taipei City Government crematorium. Indian Government have asked whether H.M. Consul could

(a) get a copy of cremation certificate and

(b) obtain from some or all of these witnesses signed statements which they do not require to be taken on oath or persuade witnesses to meet Indian Committee in Hong Kong. Indian Government would pay travel and accommodation expenses. Committee is due in Hong Kong about June 4th on its return from Tokyo.

4. Member of my staff told Ministry of External Affairs that we could not say whether it would be possible for H.M. Consul to get in touch with any of the witnesses or whether any crematorium records still existed; we would however pass on the request with recommendation that H.M. Consul should do what he could.

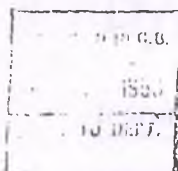
/5. Indian



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Annexure-D/3  
(Collectively)



- 2 -

5. Indian official concerned was obviously embarrassed at making this request. Nevertheless I think there is some advantage in trying to establish the facts in this case and put a stop to the legends about Bose's survival. If you have no objection therefore I would be grateful for any assistance H.M. Consul in Tamsui can properly offer.

Copy to:-

D. II

Foreign Office

Mr. Mayall

Colonial Office

Mr. K.G. Ashton

(Copy to Foreign Office (Telegram Section) for retransmission to Tamsui)

(Copy to Colonial Office (Telegraph Branch) for retransmission to Hong Kong)

ALLOTTED TO FAR EASTERN DEPARTMENT

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D/449

CONFIDENTIAL

Annexure-B/2

Inward Telegram to Commonwealth Relations OfficeFROM: U.K. HIGH COMMISSIONER IN INDIARPTD: TAMSUID: NEW DELHI, 12.00 hours, 6th June, 1956  
R: 13.58 hours, 6th June, 1956CYFNERNo. 847 CONFIDENTIALAddressed Commonwealth Relations Office  
No. 847, repeated Tamsui No. M170 (Commonwealth Relations  
Office please pass).Tamsui telegrams No. 57 and 58 to Foreign  
Office.SUNDAS CREMATION ROSEIndians unable to supply Chinese characters  
or Giles reference numbers for names in question. <sup>13</sup> <sup>14</sup> <sup>15</sup> <sup>16</sup> <sup>17</sup> <sup>18</sup> <sup>19</sup> <sup>20</sup> <sup>21</sup> <sup>22</sup> <sup>23</sup> <sup>24</sup> <sup>25</sup> <sup>26</sup> <sup>27</sup> <sup>28</sup> <sup>29</sup> <sup>30</sup> <sup>31</sup> <sup>32</sup> <sup>33</sup> <sup>34</sup> <sup>35</sup> <sup>36</sup> <sup>37</sup> <sup>38</sup> <sup>39</sup> <sup>40</sup> <sup>41</sup> <sup>42</sup> <sup>43</sup> <sup>44</sup> <sup>45</sup> <sup>46</sup> <sup>47</sup> <sup>48</sup> <sup>49</sup> <sup>50</sup> <sup>51</sup> <sup>52</sup> <sup>53</sup> <sup>54</sup> <sup>55</sup> <sup>56</sup> <sup>57</sup> <sup>58</sup> <sup>59</sup> <sup>60</sup> <sup>61</sup> <sup>62</sup> <sup>63</sup> <sup>64</sup> <sup>65</sup> <sup>66</sup> <sup>67</sup> <sup>68</sup> <sup>69</sup> <sup>70</sup> <sup>71</sup> <sup>72</sup> <sup>73</sup> <sup>74</sup> <sup>75</sup> <sup>76</sup> <sup>77</sup> <sup>78</sup> <sup>79</sup> <sup>80</sup> <sup>81</sup> <sup>82</sup> <sup>83</sup> <sup>84</sup> <sup>85</sup> <sup>86</sup> <sup>87</sup> <sup>88</sup> <sup>89</sup> <sup>90</sup> <sup>91</sup> <sup>92</sup> <sup>93</sup> <sup>94</sup> <sup>95</sup> <sup>96</sup> <sup>97</sup> <sup>98</sup> <sup>99</sup> <sup>100</sup> <sup>101</sup> <sup>102</sup> <sup>103</sup> <sup>104</sup> <sup>105</sup> <sup>106</sup> <sup>107</sup> <sup>108</sup> <sup>109</sup> <sup>110</sup> <sup>111</sup> <sup>112</sup> <sup>113</sup> <sup>114</sup> <sup>115</sup> <sup>116</sup> <sup>117</sup> <sup>118</sup> <sup>119</sup> <sup>120</sup> <sup>121</sup> <sup>122</sup> <sup>123</sup> <sup>124</sup> <sup>125</sup> <sup>126</sup> <sup>127</sup> <sup>128</sup> <sup>129</sup> <sup>130</sup> <sup>131</sup> <sup>132</sup> <sup>133</sup> <sup>134</sup> <sup>135</sup> <sup>136</sup> <sup>137</sup> <sup>138</sup> <sup>139</sup> <sup>140</sup> <sup>141</sup> <sup>142</sup> <sup>143</sup> <sup>144</sup> <sup>145</sup> <sup>146</sup> <sup>147</sup> <sup>148</sup> <sup>149</sup> <sup>150</sup> <sup>151</sup> <sup>152</sup> <sup>153</sup> <sup>154</sup> <sup>155</sup> <sup>156</sup> <sup>157</sup> <sup>158</sup> <sup>159</sup> <sup>160</sup> <sup>161</sup> <sup>162</sup> <sup>163</sup> <sup>164</sup> <sup>165</sup> <sup>166</sup> <sup>167</sup> <sup>168</sup> <sup>169</sup> <sup>170</sup> <sup>171</sup> <sup>172</sup> <sup>173</sup> <sup>174</sup> <sup>175</sup> <sup>176</sup> <sup>177</sup> <sup>178</sup> <sup>179</sup> <sup>180</sup> <sup>181</sup> <sup>182</sup> <sup>183</sup> <sup>184</sup> <sup>185</sup> <sup>186</sup> <sup>187</sup> <sup>188</sup> <sup>189</sup> <sup>190</sup> <sup>191</sup> <sup>192</sup> <sup>193</sup> <sup>194</sup> <sup>195</sup> <sup>196</sup> <sup>197</sup> <sup>198</sup> <sup>199</sup> <sup>200</sup> <sup>201</sup> <sup>202</sup> <sup>203</sup> <sup>204</sup> <sup>205</sup> <sup>206</sup> <sup>207</sup> <sup>208</sup> <sup>209</sup> <sup>210</sup> <sup>211</sup> <sup>212</sup> <sup>213</sup> <sup>214</sup> <sup>215</sup> <sup>216</sup> <sup>217</sup> <sup>218</sup> <sup>219</sup> <sup>220</sup> <sup>221</sup> <sup>222</sup> <sup>223</sup> <sup>224</sup> <sup>225</sup> <sup>226</sup> <sup>227</sup> <sup>228</sup> <sup>229</sup> <sup>230</sup> <sup>231</sup> <sup>232</sup> <sup>233</sup> <sup>234</sup> <sup>235</sup> <sup>236</sup> <sup>237</sup> <sup>238</sup> <sup>239</sup> <sup>240</sup> <sup>241</sup> <sup>242</sup> <sup>243</sup> <sup>244</sup> <sup>245</sup> <sup>246</sup> <sup>247</sup> <sup>248</sup> <sup>249</sup> <sup>250</sup> <sup>251</sup> <sup>252</sup> <sup>253</sup> <sup>254</sup> <sup>255</sup> <sup>256</sup> <sup>257</sup> <sup>258</sup> <sup>259</sup> <sup>260</sup> <sup>261</sup> <sup>262</sup> <sup>263</sup> <sup>264</sup> <sup>265</sup> <sup>266</sup> <sup>267</sup> <sup>268</sup> <sup>269</sup> <sup>270</sup> <sup>271</sup> <sup>272</sup> <sup>273</sup> <sup>274</sup> <sup>275</sup> <sup>276</sup> <sup>277</sup> <sup>278</sup> <sup>279</sup> <sup>280</sup> <sup>281</sup> <sup>282</sup> <sup>283</sup> <sup>284</sup> <sup>285</sup> <sup>286</sup> <sup>287</sup> <sup>288</sup> <sup>289</sup> <sup>290</sup> <sup>291</sup> <sup>292</sup> <sup>293</sup> <sup>294</sup> <sup>295</sup> <sup>296</sup> <sup>297</sup> <sup>298</sup> <sup>299</sup> <sup>300</sup> <sup>301</sup> <sup>302</sup> <sup>303</sup> <sup>304</sup> <sup>305</sup> <sup>306</sup> <sup>307</sup> <sup>308</sup> <sup>309</sup> <sup>310</sup> <sup>311</sup> <sup>312</sup> <sup>313</sup> <sup>314</sup> <sup>315</sup> <sup>316</sup> <sup>317</sup> <sup>318</sup> <sup>319</sup> <sup>320</sup> <sup>321</sup> <sup>322</sup> <sup>323</sup> <sup>324</sup> <sup>325</sup> <sup>326</sup> <sup>327</sup> <sup>328</sup> <sup>329</sup> <sup>330</sup> <sup>331</sup> <sup>332</sup> <sup>333</sup> <sup>334</sup> <sup>335</sup> <sup>336</sup> <sup>337</sup> <sup>338</sup> <sup>339</sup> <sup>340</sup> <sup>341</sup> <sup>342</sup> <sup>343</sup> <sup>344</sup> <sup>345</sup> <sup>346</sup> <sup>347</sup> <sup>348</sup> <sup>349</sup> <sup>350</sup> <sup>351</sup> <sup>352</sup> <sup>353</sup> <sup>354</sup> <sup>355</sup> <sup>356</sup> <sup>357</sup> <sup>358</sup> <sup>359</sup> <sup>360</sup> <sup>361</sup> <sup>362</sup> <sup>363</sup> <sup>364</sup> <sup>365</sup> <sup>366</sup> <sup>367</sup> <sup>368</sup> <sup>369</sup> <sup>370</sup> <sup>371</sup> <sup>372</sup> <sup>373</sup> <sup>374</sup> <sup>375</sup> <sup>376</sup> <sup>377</sup> <sup>378</sup> <sup>379</sup> <sup>380</sup> <sup>381</sup> <sup>382</sup> <sup>383</sup> <sup>384</sup> <sup>385</sup> <sup>386</sup> <sup>387</sup> <sup>388</sup> <sup>389</sup> <sup>390</sup> <sup>391</sup> <sup>392</sup> <sup>393</sup> <sup>394</sup> <sup>395</sup> <sup>396</sup> <sup>397</sup> <sup>398</sup> <sup>399</sup> <sup>400</sup> <sup>401</sup> <sup>402</sup> <sup>403</sup> <sup>404</sup> <sup>405</sup> <sup>406</sup> <sup>407</sup> <sup>408</sup> <sup>409</sup> <sup>410</sup> <sup>411</sup> <sup>412</sup> <sup>413</sup> <sup>414</sup> <sup>415</sup> <sup>416</sup> <sup>417</sup> <sup>418</sup> <sup>419</sup> <sup>420</sup> <sup>421</sup> <sup>422</sup> <sup>423</sup> <sup>424</sup> <sup>425</sup> <sup>426</sup> <sup>427</sup> <sup>428</sup> <sup>429</sup> <sup>430</sup> <sup>431</sup> <sup>432</sup> <sup>433</sup> <sup>434</sup> <sup>435</sup> <sup>436</sup> <sup>437</sup> <sup>438</sup> <sup>439</sup> <sup>440</sup> <sup>441</sup> <sup>442</sup> <sup>443</sup> <sup>444</sup> <sup>445</sup> <sup>446</sup> <sup>447</sup> <sup>448</sup> <sup>449</sup> <sup>450</sup> <sup>451</sup> <sup>452</sup> <sup>453</sup> <sup>454</sup> <sup>455</sup> <sup>456</sup> <sup>457</sup> <sup>458</sup> <sup>459</sup> <sup>460</sup> <sup>461</sup> <sup>462</sup> <sup>463</sup> <sup>464</sup> <sup>465</sup> <sup>466</sup> <sup>467</sup> <sup>468</sup> <sup>469</sup> <sup>470</sup> <sup>471</sup> <sup>472</sup> <sup>473</sup> <sup>474</sup> <sup>475</sup> <sup>476</sup> <sup>477</sup> <sup>478</sup> <sup>479</sup> <sup>480</sup> <sup>481</sup> <sup>482</sup> <sup>483</sup> <sup>484</sup> <sup>485</sup> <sup>486</sup> <sup>487</sup> <sup>488</sup> <sup>489</sup> <sup>490</sup> <sup>491</sup> <sup>492</sup> <sup>493</sup> <sup>494</sup> <sup>495</sup> <sup>496</sup> <sup>497</sup> <sup>498</sup> <sup>499</sup> <sup>500</sup> <sup>501</sup> <sup>502</sup> <sup>503</sup> <sup>504</sup> <sup>505</sup> <sup>506</sup> <sup>507</sup> <sup>508</sup> <sup>509</sup> <sup>510</sup> <sup>511</sup> <sup>512</sup> <sup>513</sup> <sup>514</sup> <sup>515</sup> <sup>516</sup> <sup>517</sup> <sup>518</sup> <sup>519</sup> <sup>520</sup> <sup>521</sup> <sup>522</sup> <sup>523</sup> <sup>524</sup> <sup>525</sup> <sup>526</sup> <sup>527</sup> <sup>528</sup> <sup>529</sup> <sup>530</sup> <sup>531</sup> <sup>532</sup> <sup>533</sup> <sup>534</sup> <sup>535</sup> <sup>536</sup> <sup>537</sup> <sup>538</sup> <sup>539</sup> <sup>540</sup> <sup>541</sup> <sup>542</sup> <sup>543</sup> <sup>544</sup> <sup>545</sup> <sup>546</sup> <sup>547</sup> <sup>548</sup> <sup>549</sup> <sup>550</sup> <sup>551</sup> <sup>552</sup> <sup>553</sup> <sup>554</sup> <sup>555</sup> <sup>556</sup> <sup>557</sup> <sup>558</sup> <sup>559</sup> <sup>560</sup> <sup>561</sup> <sup>562</sup> <sup>563</sup> <sup>564</sup> <sup>565</sup> <sup>566</sup> <sup>567</sup> <sup>568</sup> <sup>569</sup> <sup>570</sup> <sup>571</sup> <sup>572</sup> <sup>573</sup> <sup>574</sup> <sup>575</sup> <sup>576</sup> <sup>577</sup> <sup>578</sup> <sup>579</sup> <sup>580</sup> <sup>581</sup> <sup>582</sup> <sup>583</sup> <sup>584</sup> <sup>585</sup> <sup>586</sup> <sup>587</sup> <sup>588</sup> <sup>589</sup> <sup>590</sup> <sup>591</sup> <sup>592</sup> <sup>593</sup> <sup>594</sup> <sup>595</sup> <sup>596</sup> <sup>597</sup> <sup>598</sup> <sup>599</sup> <sup>600</sup> <sup>601</sup> <sup>602</sup> <sup>603</sup> <sup>604</sup> <sup>605</sup> <sup>606</sup> <sup>607</sup> <sup>608</sup> <sup>609</sup> <sup>610</sup> <sup>611</sup> <sup>612</sup> <sup>613</sup> <sup>614</sup> <sup>615</sup> <sup>616</sup> <sup>617</sup> <sup>618</sup> <sup>619</sup> <sup>620</sup> <sup>621</sup> <sup>622</sup> <sup>623</sup> <sup>624</sup> <sup>625</sup> <sup>626</sup> <sup>627</sup> <sup>628</sup> <sup>629</sup> <sup>630</sup> <sup>631</sup> <sup>632</sup> <sup>633</sup> <sup>634</sup> <sup>635</sup> <sup>636</sup> <sup>637</sup> <sup>638</sup> <sup>639</sup> <sup>640</sup> <sup>641</sup> <sup>642</sup> <sup>643</sup> <sup>644</sup> <sup>645</sup> <sup>646</sup> <sup>647</sup> <sup>648</sup> <sup>649</sup> <sup>650</sup> <sup>651</sup> <sup>652</sup> <sup>653</sup> <sup>654</sup> <sup>655</sup> <sup>656</sup> <sup>657</sup> <sup>658</sup> <sup>659</sup> <sup>660</sup> <sup>661</sup> <sup>662</sup> <sup>663</sup> <sup>664</sup> <sup>665</sup> <sup>666</sup> <sup>667</sup> <sup>668</sup> <sup>669</sup> <sup>670</sup> <sup>671</sup> <sup>672</sup> <sup>673</sup> <sup>674</sup> <sup>675</sup> <sup>676</sup> <sup>677</sup> <sup>678</sup> <sup>679</sup> <sup>680</sup> <sup>681</sup> <sup>682</sup> <sup>683</sup> <sup>684</sup> <sup>685</sup> <sup>686</sup> <sup>687</sup> <sup>688</sup> <sup>689</sup> <sup>690</sup> <sup>691</sup> <sup>692</sup> <sup>693</sup> <sup>694</sup> <sup>695</sup> <sup>696</sup> <sup>697</sup> <sup>698</sup> <sup>699</sup> <sup>700</sup> <sup>701</sup> <sup>702</sup> <sup>703</sup> <sup>704</sup> <sup>705</sup> <sup>706</sup> <sup>707</sup> <sup>708</sup> <sup>709</sup> <sup>710</sup> <sup>711</sup> <sup>712</sup> <sup>713</sup> <sup>714</sup> <sup>715</sup> <sup>716</sup> <sup>717</sup> <sup>718</sup> <sup>719</sup> <sup>720</sup> <sup>721</sup> <sup>722</sup> <sup>723</sup> <sup>724</sup> <sup>725</sup> <sup>726</sup> <sup>727</sup> <sup>728</sup> <sup>729</sup> <sup>730</sup> <sup>731</sup> <sup>732</sup> <sup>733</sup> <sup>734</sup> <sup>735</sup> <sup>736</sup> <sup>737</sup> <sup>738</sup> <sup>739</sup> <sup>740</sup> <sup>741</sup> <sup>742</sup> <sup>743</sup> <sup>744</sup> <sup>745</sup> <sup>746</sup> <sup>747</sup> <sup>748</sup> <sup>749</sup> <sup>750</sup> <sup>751</sup> <sup>752</sup> <sup>753</sup> <sup>754</sup> <sup>755</sup> <sup>756</sup> <sup>757</sup> <sup>758</sup> <sup>759</sup> <sup>760</sup> <sup>761</sup> <sup>762</sup> <sup>763</sup> <sup>764</sup> <sup>765</sup> <sup>766</sup> <sup>767</sup> <sup>768</sup> <sup>769</sup> <sup>770</sup> <sup>771</sup> <sup>772</sup> <sup>773</sup> <sup>774</sup> <sup>775</sup> <sup>776</sup> <sup>777</sup> <sup>778</sup> <sup>779</sup> <sup>780</sup> <sup>781</sup> <sup>782</sup> <sup>783</sup> <sup>784</sup> <sup>785</sup> <sup>786</sup> <sup>787</sup> <sup>788</sup> <sup>789</sup> <sup>790</sup> <sup>791</sup> <sup>792</sup> <sup>793</sup> <sup>794</sup> <sup>795</sup> <sup>796</sup> <sup>797</sup> <sup>798</sup> <sup>799</sup> <sup>800</sup> <sup>801</sup> <sup>802</sup> <sup>803</sup> <sup>804</sup> <sup>805</sup> <sup>806</sup> <sup>807</sup> <sup>808</sup> <sup>809</sup> <sup>810</sup> <sup>811</sup> <sup>812</sup> <sup>813</sup> <sup>814</sup> <sup>815</sup> <sup>816</sup> <sup>817</sup> <sup>818</sup> <sup>819</sup> <sup>820</sup> <sup>821</sup> <sup>822</sup> <sup>823</sup> <sup>824</sup> <sup>825</sup> <sup>826</sup> <sup>827</sup> <sup>828</sup> <sup>829</sup> <sup>830</sup> <sup>831</sup> <sup>832</sup> <sup>833</sup> <sup>834</sup> <sup>835</sup> <sup>836</sup> <sup>837</sup> <sup>838</sup> <sup>839</sup> <sup>840</sup> <sup>841</sup> <sup>842</sup> <sup>843</sup> <sup>844</sup> <sup>845</sup> <sup>846</sup> <sup>847</sup> <sup>848</sup> <sup>849</sup> <sup>850</sup> <sup>851</sup> <sup>852</sup> <sup>853</sup> <sup>854</sup> <sup>855</sup> <sup>856</sup> <sup>857</sup> <sup>858</sup> <sup>859</sup> <sup>860</sup> <sup>861</sup> <sup>862</sup> <sup>863</sup> <sup>864</sup> <sup>865</sup> <sup>866</sup> <sup>867</sup> <sup>868</sup> <sup>869</sup> <sup>870</sup> <sup>871</sup> <sup>872</sup> <sup>873</sup> <sup>874</sup> <sup>875</sup> <sup>876</sup> <sup>877</sup> <sup>878</sup> <sup>879</sup> <sup>880</sup> <sup>881</sup> <sup>882</sup> <sup>883</sup> <sup>884</sup> <sup>885</sup> <sup>886</sup> <sup>887</sup> <sup>888</sup> <sup>889</sup> <sup>890</sup> <sup>891</sup> <sup>892</sup> <sup>893</sup> <sup>894</sup> <sup>895</sup> <sup>896</sup> <sup>897</sup> <sup>898</sup> <sup>899</sup> <sup>900</sup> <sup>901</sup> <sup>902</sup> <sup>903</sup> <sup>904</sup> <sup>905</sup> <sup>906</sup> <sup>907</sup> <sup>908</sup> <sup>909</sup> <sup>910</sup> <sup>911</sup> <sup>912</sup> <sup>913</sup> <sup>914</sup> <sup>915</sup> <sup>916</sup> <sup>917</sup> <sup>918</sup> <sup>919</sup> <sup>920</sup> <sup>921</sup> <sup>922</sup> <sup>923</sup> <sup>924</sup> <sup>925</sup> <sup>926</sup> <sup>927</sup> <sup>928</sup> <sup>929</sup> <sup>930</sup> <sup>931</sup> <sup>932</sup> <sup>933</sup> <sup>934</sup> <sup>935</sup> <sup>936</sup> <sup>937</sup> <sup>938</sup> <sup>939</sup> <sup>940</sup> <sup>941</sup> <sup>942</sup> <sup>943</sup> <sup>944</sup> <sup>945</sup> <sup>946</sup> <sup>947</sup> <sup>948</sup> <sup>949</sup> <sup>950</sup> <sup>951</sup> <sup>952</sup> <sup>953</sup> <sup>954</sup> <sup>955</sup> <sup>956</sup> <sup>957</sup> <sup>958</sup> <sup>959</sup> <sup>960</sup> <sup>961</sup> <sup>962</sup> <sup>963</sup> <sup>964</sup> <sup>965</sup> <sup>966</sup> <sup>967</sup> <sup>968</sup> <sup>969</sup> <sup>970</sup> <sup>971</sup> <sup>972</sup> <sup>973</sup> <sup>974</sup> <sup>975</sup> <sup>976</sup> <sup>977</sup> <sup>978</sup> <sup>979</sup> <sup>980</sup> <sup>981</sup> <sup>982</sup> <sup>983</sup> <sup>984</sup> <sup>985</sup> <sup>986</sup> <sup>987</sup> <sup>988</sup> <sup>989</sup> <sup>990</sup> <sup>991</sup> <sup>992</sup> <sup>993</sup> <sup>994</sup> <sup>995</sup> <sup>996</sup> <sup>997</sup> <sup>998</sup> <sup>999</sup> <sup>1000</sup> <sup>1001</sup> <sup>1002</sup> <sup>1003</sup> <sup>1004</sup> <sup>1005</sup> <sup>1006</sup> <sup>1007</sup> <sup>1008</sup> <sup>1009</sup> <sup>1010</sup> <sup>1011</sup> <sup>1012</sup> <sup>1013</sup> <sup>1014</sup> <sup>1015</sup> <sup>1016</sup> <sup>1017</sup> <sup>1018</sup> <sup>1019</sup> <sup>1020</sup> <sup>1021</sup> <sup>1022</sup> <sup>1023</sup> <sup>1024</sup> <sup>1025</sup> <sup>1026</sup> <sup>1027</sup> <sup>1028</sup> <sup>1029</sup> <sup>1030</sup> <sup>1031</sup> <sup>1032</sup> <sup>1033</sup> <sup>1034</sup> <sup>1035</sup> <sup>1036</sup> <sup>1037</sup> <sup>1038</sup> <sup>1039</sup> <sup>1040</sup> <sup>1041</sup> <sup>1042</sup> <sup>1043</sup> <sup>1044</sup> <sup>1045</sup> <sup>1046</sup> <sup>1047</sup> <sup>1048</sup> <sup>1049</sup> <sup>1050</sup> <sup>1051</sup> <sup>1052</sup> <sup>1053</sup> <sup>1054</sup> <sup>1055</sup> <sup>1056</sup> <sup>1057</sup> <sup>1058</sup> <sup>1059</sup> <sup>1060</sup> <sup>1061</sup> <sup>1062</sup> <sup>1063</sup> <sup>1064</sup> <sup>1065</sup> <sup>1066</sup> <sup>1067</sup> <sup>1068</sup> <sup>1069</sup> <sup>1070</sup> <sup>1071</sup> <sup>1072</sup> <sup>1073</sup> <sup>1074</sup> <sup>1075</sup> <sup>1076</sup> <sup>1077</sup> <sup>1078</sup> <sup>1079</sup> <sup>1080</sup> <sup>1081</sup> <sup>1082</sup> <sup>1083</sup> <sup>1084</sup> <sup>1085</sup> <sup>1086</sup> <sup>1087</sup> <sup>1088</sup> <sup>1089</sup> <sup>1090</sup> <sup>1091</sup> <sup>1092</sup> <sup>1093</sup> <sup>1094</sup> <sup>1095</sup> <sup>1096</sup> <sup>1097</sup> <sup>1098</sup> <sup>1099</sup> <sup>1100</sup> <sup>1101</sup> <sup>1102</sup> <sup>1103</sup> <sup>1104</sup> <sup>1105</sup> <sup>1106</sup> <sup>1107</sup> <sup>1108</sup> <sup>1109</sup> <sup>1110</sup> <sup>1111</sup> <sup>1112</sup> <sup>1113</sup> <sup>1114</sup> <sup>1115</sup> <sup>1116</sup> <sup>1117</sup> <sup>1118</sup> <sup>1119</sup> <sup>1120</sup> <sup>1121</sup> <sup>1122</sup> <sup>1123</sup> <sup>1124</sup> <sup>1125</sup> <sup>1126</sup> <sup>1127</sup> <sup>1128</sup> <sup>1129</sup> <sup>1130</sup> <sup>1131</sup> <sup>1132</sup> <sup>1133</sup> <sup>1134</sup> <sup>1135</sup> <sup>1136</sup> <sup>1137</sup> <sup>1138</sup> <sup>1139</sup> <sup>1140</sup> <sup>1141</sup> <sup>1142</sup> <sup>1143</sup> <sup>1144</sup> <sup>1145</sup> <sup>1146</sup> <sup>1147</sup> <sup>1148</sup> <sup>1149</sup> <sup>1150</sup> <sup>1151</sup> <sup>1152</sup> <sup>1153</sup> <sup>1154</sup> <sup>1155</sup> <sup>1156</sup> <sup>1157</sup> <sup>1158</sup> <sup>1159</sup> <sup>1160</sup> <sup>1161</sup> <sup>1162</sup> <sup>1163</sup> <sup>1164</sup> <sup>1165</sup> <sup>1166</sup> <sup>1167</sup> <sup>1168</sup> <sup>1169</sup> <sup>1170</sup> <sup>1171</sup> <sup>1172</sup> <sup>1173</sup> <sup>1174</sup> <sup>1175</sup> <sup>1176</sup> <sup>1177</sup> <sup>1178</sup> <sup>1179</sup> <sup>1180</sup> <sup>1181</sup> <sup>1182</sup> <sup>1183</sup> <sup>1184</sup> <sup>1185</sup> <sup>1186</sup> <sup>1187</sup> <sup>1188</sup> <sup>1189</sup> <sup>1190</sup> <sup>1191</sup> <sup>1192</sup> <sup>1193</sup> <sup>1194</sup> <sup>1195</sup> <sup>1196</sup> <sup>1197</sup> <sup>1198</sup> <sup>1199</sup> <sup>1200</sup> <sup>1201</sup> <sup>1202</sup> <sup>1203</sup> <sup>1204</sup> <sup>1205</sup> <sup>1206</sup> <sup>1207</sup> <sup>1208</sup> <sup>1209</sup> <sup>1210</sup> <sup>1211</sup> <sup>1212</sup> <sup>1213</sup> <sup>1214</sup> <sup>1215</sup> <sup>1216</sup> <sup>1217</sup> <sup>1218</sup> <sup>1219</sup> <sup>1220</sup> <sup>1221</sup> <sup>1222</sup> <sup>1223</sup> <sup>1224</sup> <sup>1225</sup> <sup>1226</sup> <sup>1227</sup> <sup>1228</sup> <sup>1229</sup> <sup>1230</sup> <sup>1231</sup> <sup>1232</sup> <sup>1233</sup> <sup>1234</sup> <sup>1235</sup> <sup>1236</sup> <sup>1237</sup> <sup>1238</sup> <sup>1239</sup> <sup>1240</sup> <sup>1241</sup> <sup>1242</sup> <sup>1243</sup> <sup>1244</sup> <sup>1245</sup> <sup>1246</sup> <sup>1247</sup> <sup>1248</sup> <sup>1249</sup> <sup>1250</sup> <sup>1251</sup> <sup>1252</sup> <sup>1253</sup> <sup>1254</sup> <sup>1255</sup> <sup>1256</sup> <sup>1257</sup> <sup>1258</sup> <sup>1259</sup> <sup>1260</sup> <sup>1261</sup> <sup>1262</sup> <sup>1263</sup> <sup>1264</sup> <sup>1265</sup> <sup>1266</sup> <sup>1267</sup> <sup>1268</sup> <sup>1269</sup> <sup>1270</sup> <sup>1271</sup> <sup>1272</sup> <sup>1273</sup> <sup>1274</sup> <sup>1275</sup> <sup>1276</sup> <sup>1277</sup> <sup>1278</sup> <sup>1279</sup> <sup>1280</sup> <sup>1281</sup> <sup>1282</sup> <sup>1283</sup> <sup>1284</sup> <sup>1285</sup> <sup>1286</sup> <sup>1287</sup> <sup>1288</sup> <sup>1289</</sup>



Annexure-B/4

-2-

5. If any of papers listed below Indians would be grateful for relevant documents with certified English translations both being submitted to the Consul:-

- (A) doctor's report on Debe's death at Hospital circa 18th August 1945.
- (B) police report on death.
- (C) Cremation Permit issued by the Registrar 20th August 1945.

Copy to:-

D. II

Foreign Office  
Colonial Office

Mr. [unclear]  
Mr. [unclear]

Copy to Foreign Office (Telegram Section) for transmission to Temau.

ALLOTTED TO FAR E. STAFF DEPT.

D/S (C)

Annexure-D/5  
(Collectively)

## TRANSLATION

## REPORT

June 27, 1956.

Prepared by Section II [Department of Health]

1. On receipt of instructions to obtain a death certificate from the Taipei Municipal Crematorium as well as the sworn testimony of Tsan Pi Sha, etc. in regard to the uncertainty surrounding the death of Subhas Chandra Bose, leader of the Indian Nationalist Army in the Second World War, I have interviewed the officers of the units concerned and I beg to submit the following report:-

## (1) The part concerning the Nan Men Hospital:-

A. I went to see Dr. Chang Wen Haiang (張文海) in charge of the Section of the General Clinic of the No. 1 Army-Navy-Air Force General Hospital (formerly the Nan Men Military Hospital) with a view to see Bose's registration card and death certificate, but was told that it was impossible to trace any of the records which were kept before the government took over this hospital. In consequence, it was impossible either to verify them or to take copies.

(B) The translated copy of the Aide Memoire of the 15th of May from the British Consul mentions two nurses at the Nan Men Military Hospital at Taipei, namely Tsan Pi Sha and Chu Chow Tao. The staff list of the hospital under the Japanese administration is no longer available but it was found that on September 2, 1946, the Taiwan Military Hospital of the Combined Services Headquarters had engaged one Chou Chao Tao (周朝桃) as nurse. This nurse as from February 10, 1943, worked at the Nan Men Military Hospital. It seems likely that this is the person referred to, but she had left the hospital service on September 30, 1947, and although she gave her address as No. 35, Futajong, Illumei Cho, Taipei (台北市八里坌區丁福三巷35號), it was impossible to trace her subsequent whereabouts in view of the fact that this was sometime ago and that in the meantime the system of addresses has been entirely changed. All those in the service of the hospital at the time have since left the hospital. More detailed clarification is therefore not possible. As regards Tsan Pi Sha, no information could be obtained at the hospital about this person.

## (2) The part concerning the Taipei Municipal Health Centre:-

(A) There is a register of cremations at the Municipal Health Centre (formerly under the Welfare Section of the Taipei Municipal Government) and officers of the Health Centre are of the opinion that the entry was made in the name of Ichiro Okura (岡村 英一). A copy of this entry is attached to this report. No other records exist.

(B) The Aide Memoire of the 15th of May from the British Consul gives the names of Kan Kin Yen, Li Chin Kui and Tan Chi Chi; they would appear to be Ko Keng Yuan (高 庚元), Li Chin Kui (李 欽葵) and Tan Tia-Ti (譚 天提) in Mandarin, Chou Chih-Chin respectively. I questioned these persons with the following results:-

/ (a) Ko Keng Yuan



Amateur-D-5  
(Collectively)

- 2 -

- (a) Ko Keng Yuan (who was the first Director of the Health Centre following the take-over) stated that, "At that time I had not taken over charge of the Health Centre, I therefore know nothing about the case. However, I remember that after I had taken over charge, I first came to hear about the matter when, in 1945, an Indian reporter came to the Health Centre to look into the case. The points in doubt were whether the Cremation Permit was issued to Boso under an assumed name and whether Boso had actually died. These were important secrets of the Japanese military and I know nothing about them nor anything else connected with the case."
- (b) Tan Ti-Ti (Tan Ti-Ti) in Mandarin, Chen Chin-Chin (employee at the Welfare Section of the Taipei Municipal Government who was at the time in charge of the issue of Cremation Permits, now a Sanitary Inspector of the Taipei Municipal Health Centre) stated that:-

- "(i) When the application for a Cremation Permit was made:-

On August 21, 1945 (after the Japanese surrender in the 20th year of Showa) a Japanese army officer (either a captain or a lieutenant in rank) came to the office (at that time, as a dispersal measure, the Welfare Section worked in the compound now known as the Chi Loh Funeral Parlour) to apply for a Cremation Permit. He submitted the death certificate of a certain Ichiro Okura, duly completing two forms (specimens attached). The cause of death was stated as heart failure, the date of death as having taken place on the 19th of August. The required procedure having been complied with, a Cremation Permit was issued with the time fixed at 6 p.m. August 22 (regulations in effect then required all cremations to take place between sunset and sunrise)

- "(ii) When the body was brought and cremation took place:-

At about 4 p.m. that day (i.e. August 22) the army officer who came to apply for the permit the day before (an officer of the Han Men Military Hospital in charge of the funeral arrangements of "Ichiro Okura") came to the crematorium in a car in the company of an Indian; at the same time a military truck brought a boxlike coffin (made of hinoki wood with the following approximate dimensions: length: 8 feet; width: 2 feet; height: 2 feet; the planks were over one inch in thickness). There were several soldiers, who unloaded the coffin, deposited it in the auditorium, and closed the doors.



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Annexure-D, 5...  
(Collectively)...

- 3 -

Those present were the Japanese officer, the Indian (it was said that he was Bose's follower, ~~some~~ said he was an aide-de-camp; he was dressed in the white garment of Japanese soldiers under medical care, wore slippers, parts of his face were bandaged; he was tall and swarthy, wept bitterly and seemed extremely sorrowful); Mr. Komoto (河本 庄三郎), manager of the crematorium (appears to be the Japanese witness called One Tsung mentioned in the Aide Memoire of the 18th of May from the British Consul, had apparently returned to Japan and was therefore not available for questioning); a labourer of the crematorium called Lin Sui Mu (林 水木) (who had died in 1954) and myself (Tan Ti-Ti). Lin and I opened the coffin. The body was packed in powdered lime, swathed in white cloth and gave every indication of having received external medical treatment. Only the eyes, the nose and the lips were visible (all black in colour). As the body was covered in lime powder, it was feared that it would not be completely consumed by fire. It was therefore suggested that all traces of lime be removed. This was done by the Indian's consent when the body was put on a plank (it was brought to the crematorium by the funeral parleur) and Lin the crematorium labourer took it to the old furnace (which was a grade one furnace in the centre of the row of furnaces). A lock was attached on the locker, the key being given to the Indian for custody. The Indian was told to come back at 8 a.m. on the following day to gather the ashes. He left with the officer.

The army officer said, "The deceased was Bose, the Indian leader (on occasions he mentioned him as the Indian Commander) who, proceeding to Tokyo on important business, was injured when his plane was involved in an accident. He was treated at the Nan Men Military Hospital but passed away on August 19. He had two aides with him (both Indians), one of whom suffered serious but not fatal injuries; the other was only slightly injured (this was the Indian present). Bose's body was prepared against putrefaction by being injected with preventive chemicals and packed in lime powder, and put into the coffin for conveyance to Tokyo but the coffin was too big for aeroplanes available at the time. It was therefore decided to cremate it instead." He also said that Bose, from the time of the accident and the subsequent stay in the hospital, right up to the time of his death, never uttered a groan, or gave vent to any expression of pain and must indeed have been a very great person.

(iii) The collection of ashes after cremation:-

On the following day after cremation (i.e. a little after 8 a.m. August 25) the Indian who

/was present



Annexure-D, 5, ...  
(collectively)...

- 4 -

was present on the previous day (said to be Bose's aide-de-camp) came in the company of the army officer ( who also came together with him on the previous day), brought a pair of waribaghi chopsticks, commonly used by the Japanese in their meals, opened the locker with the key given to him previously by Lin the crematorium labourer and used the chopsticks to pick up the bone remnants one by one from the nation and deposit them into a wooden box ( made of pinok wood about 8 or 9 inches cubic measure). He was very solemn, wrapped the box with white cloth, and left in a private car together with the army officer. The whole process took about one hour.

"(iv) When an Indian reporter came to find out the circumstances:-

Round about 1946, Chinese government officials ( I know neither their names nor the agency they represented ) came in the company of a swarthy, medium-built person whom they introduced as an Indian reporter who was endeavoring to investigate the circumstances of the death and cremation of the Indian leader Bose in Formosa. This reporter took photographs of documents relevant to the case and also took a group photograph at the gate of the Health Centre, consisting of Ko Keng Yuan, who was then Director, Li Chin Kui, myself and others."

(c) Li Chin Kui ( at that time an employee of the Welfare Section of the Taipei Municipal Government one of whose duties it was to grant cremation permits, now an employee of the Taipei Municipal Health Centre doing similar work) stated that, "As regards Bose's Cremation Permit, what I know corresponds with what Tan Ti-Ti has said. As regards the cremation itself, I know nothing about it as I was not present."

(d) After the conclusion of the investigation, both Tan and Li said that, "We were not acquainted with Bose in his lifetime, it therefore follows that we could not identify him after his death. We can only speak according to what we remember of what took place at the time."

SI. I have the honour to submit the above report on conclusion of an investigation you instructed me to make.

Translation made from a copy of the report endorsed with the seal of the Foreign Affairs Department of the Taiwan Provincial Government.

Annexure-D/5  
(G.I. Activity)

TRANSLATION

Copy of an extract from the Cremation Register for the 20th Year of Showa ( 1945 ).

Kept by the Welfare Section of the Taipei Municipal Government.

No. 2641

Ichiro Ogura (人 小 久 郎)

Male

Born April 9, 1900. (35th year of Meiji)

Profession: Army shokutaku (兵 隊 長)

Native Place: No. 2-A, Tengen Gaku,  
Shibutani Ka, Tokyo.

Address: No. 3-A, Negi Cho,  
Taipei.

(台 北 市 中 正 路 3 號)

Cause of death: heart failure.

Date of death: August 19. ✓

Date permit granted: August 21.

Date cremation took

place: August 22.

Cremated at the Public Crematorium.

Applicant: K. Yoshino ( 小 野 久 )

No. 21123 Unit.



Annexure- D/6FOI. 14/28

OFFICE OF THE HIGH COMMISSIONER  
FOR THE UNITED KINGDOM,  
6 TAMES JAGANNATH,  
NEW DELHI.

10th August, 1956.

I delivered to the Indian Ministry of External Affairs yesterday afternoon five copies of the translation of the letter from the Governor of Formosa together with the police report and creation certificate. I also gave them the two copies of the letter in Chinese.

The official concerned asked me to express to you the gratitude of the Indian Government for the trouble you had taken on their behalf and the care with which you have handled the matter. I said I would gladly pass on the message.

I am sending copies of this letter to the Far Eastern Department of the Commonwealth Relations Office and the Foreign Office.

(J.V. non).

A.A.E. Franklin, Esq., O.B.E.,  
H.M. Consul,  
TAIPEI.

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Annexure - 1/1  
(Collectively)

July 24, 1956

Dear Mr. Dar,

With reference to your letter No. F.5(1)800-1 of May 30th, 1956, and my letter dated June 14th, 1956, I wish to inform you that the following reply has been received from Mr. K. Horinuchi, Ambassador of Japan at Taipei, to our enquiry made on this matter:

1. "Doctor's Report" and "Police Report" as mentioned in Mr. Dar's letter could not be traced at Taipei in spite of all efforts.
2. As to "Cremation Permit" a certified copy of the original document on cremation permit which is held by the Bureau of Health and Hygiene, Taipei Municipal Office, could be obtained. The document mentions the name of ICHINO OKURA as the deceased and that of TAKEYUCHI YOSHINO as the applicant. Since the death of Mr. Subhas Chandra Bose was kept strictly confidential at that time, it is believed that this cremation permit on ICHINO OKURA must correspond to the case for late Mr. Subhas Chandra Bose.

Therefore, I wish to enclose herewith the above-mentioned copy of "Cremation Permit" together with its translation in English.

Yours sincerely,

Sd/- Hisaji Hattori

Chief of 4th Section  
Asian Affairs Bureau  
Ministry of Foreign Affairs

Mr. A.K. Dar,  
First Secretary,  
Embassy of India,  
Tokyo.



Annexure-D/7  
(Collectively)

Serial Number	Date of Birth Date of Birth Date of Birth	Place of Birth & Occupation.	Sex	Present Address.	Date of Birth	Remarks
1 Heart Attack	Aug. 18, 1945 Aug. 21, 1945 Aug. 22, 1945	Q22 Municipal Crematory	Non-regular staff mem- ber of Army Forces.	Male	No. 1, 2-Chome, Ichiro Dogenzaka, Shibuya-Wy, Tokyo. No. 2, 3-chome, Kogi-machi Taipei City	April 9, Unit 1900. No. 21123 Yoshimi

Examined and authenticated by  
the Ministry of Foreign Affairs.

S B A L.

S/- Yasutomi Akemine  
Secretary,  
Ministry of Foreign Affairs,  
(Archives Section).

It is certified that the above statement, abstracted  
from the original document as presented herein,  
is correct and true.

July 14, 1951.

Ministry of Health & Education  
Medical Section, 1st Floor

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JUSTICE MONTESJUE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

Chairman - 22-2227  
Secretary - 22-2107  
Deputy Secy - 22-2227  
Special Inq - 22-2227  
Office - 22-2227

28

BY SPEED POST-4/1

NO. JMCI/Overseas-Witness/2000-01/70(III)/401

Kolkata, dated, 01.07.20

From : Shri M. Roy, IAS (Retd.),  
Officer on Special Duty

To : Shri L.D. Ralte,  
Joint Secretary (CNV),  
Ministry of External Affairs,  
Govt. of India, South Block,  
New Delhi 110001.

Sir,

I am directed to inform you that adhering to his programme the Hon'ble Chairman reached Taipei in the night of January 25, 2005 and visited various Departments of the Govt. of Taiwan and the local Govt. of Taipei on the next two days (26th and 27th January, 2005) to lay hands on records relevant to the terms of reference of the Commission; that he was accompanied by, besides others, Mr. Sean Hsu, an Officer of the Ministry of Foreign Affairs (MOFA), Taiwan; that the Hon'ble Chairman requested Mr. Hsu to search for the following documents which the Hon'ble Chairman wanted to see but were not readily available and to send true copies of these documents, if available, to you through the India Taipei Association (ITA) for onward transmission to the Commission and that Mr. Hsu was kind enough to assure that he will be the needful within a fortnight.

The documents are :-

- (i) Daily Newspapers published in and from Taipei between the period from 16th to 24th August, 1945 containing any reference to Netaji Subhas Chandra Bose;
- (ii) Documents relating to Netaji Subhas Chandra Bose said to be available in the Annual Volumes of Documents of the years 1943 to 1945, 1956, 1967 and 1973 maintained in the National Archives of Taiwan; and
- (iii) Documents relating to cremation of the dead-bodies of all persons during the period from 18th to 24th August, 1945 in the old crematorium in Taipei which are said to have been kept in the said crematorium.

contd...P.2.



RECEIVED  
JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

1983  
0021033-252-1703

No. JfMCI

- 2 -

Kolkata, dated,

I am, therefore, directed to request you to kindly take up the matter with the ITA so that they may liaise with Mr. Hsu to do the needful as promised.

I am further directed to state that Mr. V.K. Bokhale, Director General, India Taipei Association has suggested to the Hon'ble Chairman that to expedite the matter, your letter to ITA in this regard may be sent through some reputed courier.

Yours faithfully,

(M. Roy)  
Officer on Special Duty

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Appendix-D/9

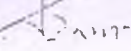
JUSTICE A. K. DUTTA COMMISSION OF INQUIRY

Order

29.03.05

In deference to the request I made to Mr. Sean Hsu, an officer of the Ministry of Foreign Affairs, Government of Taiwan during my visit to Taipei to send the documents detailed in the memorandum dated January 31, 2005 of my visit there, the Director General, Department of East Asian and Pacific Affairs, Ministry of Foreign Affairs, Taiwan, has now forwarded to this Commission through proper channel (which have been received by the Commission on March 28, 2005) photocopies of all the documents of the years 1956, 1967 and 1973, with translated version in English, as appearing in item (ii) and all documents of item (iii), without such translation, of the memorandum. According to the Director General those were all the records and documents which were available with them.

As the documents referred to in item no. (iii) were prepared at a point of time when the Japanese were running the administration in Taiwan (Formosa), office is directed to requisition the services of a competent Anglo-Japanese translator to carefully look into those documents (in item no. iii) and to let this Commission know whether there are entries in the cremation register during that period (from 18<sup>th</sup> to 24<sup>th</sup> August, 1945) for cremation of Chandra Bose (as Netaji was called by the Japanese) and Pilot Takizawa, Co-Pilot Aoyagi and General Shidei who, according to the witnesses, were with Netaji in the same plane and died on the same day.

  
(M. K. Mukherjee)  
Chairman



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RECEIVED  
 P. N. CHAKRABORTY  
 Sr. Research Officer  
 Justice Mukherjee Commission of Inquiry  
 11/A Mirza Ghalib Street  
 Kolkata-700 087

RECEIVED  
 (Sd/-)

To  
 Shri P.N.Chakraborty  
 Sr. Research Officer  
 Justice Mukherjee Commission of Inquiry  
 11/A Mirza Ghalib Street  
 Kolkata-700 087

Sir,

With reference to your letter dated 29/3/05 I have the pleasure in informing you that I have accepted the job that has been allotted to me by the Commission. I am proficient in both Japanese and English languages. I have carefully gone through the documents as mentioned in item No.(i) of your letter under reference. These documents are all in Japanese language and consist of copies of entries of a cremation register of Taihoku Municipality. The documents in question are found to have been placed by the said Municipality in two volumes - Vol. I containing entries of cremation of 7 persons (Sl.Nos.2608 - 2698) and Vol. II containing entries of burial of 122 persons (Sl.Nos. 3037 - 3218) persons. I have also examined the doctor's report as appended with the copy of Shri Harin Shah's book 'Gallant end of Netaji' (Exhibit 295). Now, I am replying to your queries serially:-

Query No.(i):

After meticulous examination of Vol. I of the documents in question I find that it contains entries of cremations performed not only during the period from 18<sup>th</sup> August, 1945 to 24<sup>th</sup> August, 1945 but also for a longer period, beginning from 17<sup>th</sup> August and ending on 27<sup>th</sup> August, 1945. The total list of entries of a period relating to cremation, which has been summarised by me in a tabular form and which is part of this report, is attached hereto together with a synopsis of my observation.

Query No. (ii):

There is no entry in the name of Netaji Subhas Chandra Bose / Chandra Bose / Pilot Takizawa, Co-Pilot Aoyagi and General Shidei in the above documents relating to cremation.

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- 2 -

Query No.(iii):

I confirm that the entries at Sl.No.2641 as appearing in the above documents relate to Ichiro Okura. I have translated into English, as desired by you, the entire entries against the said serial number in a separate sheet and appended thereto the requisite certificate under my seal and signature. The translation of the entries, which also is part of this report, is attached hereto.

Query No.(iv):

I have carefully examined the doctor's report (death certificate) on Ichiro Okura as appearing at page 90 of the book 'Gallant end of Netaji' (Exhibit 295) and assert that the said report was prepared and issued by Dr.Fuyoshi Tsuruta under his personal seal as proof of authentication.

To avoid all dispute in future I have put my initial under my seal on every page of the documents which you have handed over to me for my examination, translation and opinion.

Encls:2



Yours faithfully,

(Shudeep Kumar Sethi)

Anglo-Japanese Translator



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Annexure-12/16  
(collectively)

### Synopsis of the observation

I have examined all the 25 pages of Death Register relating to permission of cremation of Male & Female persons divided into 2 volumes between 17<sup>th</sup> to 27<sup>th</sup> August in the Japanese Showa 20 corresponding to Gregorian Calendar 1945 of Taihoku Municipality.

Right side of the each page of register containing title in first column and other 6 columns are detailed particulars of the deceased persons written in vertically.

Left side of the page of register containing 7 columns are also the detailed particulars of the deceased persons.

Total 273 numbers of persons of different national (Japanese / Chinese / British) were cremated buried (165 male / 108 female) in different crematorium / burial ground as mentioned in the register.

In Volume No 1 consisting of 91 names

Page Sl.	Serial No	Cremation Date / Period	Total No. of Deceased	Male	Female	No. of Civilian Cremated	Japanese Army Personnel (Cremated)	Total No. of Deceased
1	2608 ~ 2620	17 <sup>th</sup> ~ 19 <sup>th</sup>	13	10	3	12	1	13
2	2621 ~ 2633	19 <sup>th</sup> ~ 21 <sup>st</sup>	13	4	9	13	0	13
3	2634 ~ 2646	21 <sup>st</sup> ~ 22 <sup>nd</sup>	13	7	6	12	1	13
4	2647 ~ 2659	22 <sup>nd</sup> ~ 23 <sup>rd</sup>	13	6	7	12	1	13
5	2660 ~ 2672	23 <sup>rd</sup> ~ 24 <sup>th</sup>	13	9	4	10	3	13
6	2673 ~ 2685	24 <sup>th</sup> ~ 26 <sup>th</sup>	13	6	7	12	1	13
7	2686 ~ 2698	26 <sup>th</sup> ~ 27 <sup>th</sup>	13	6	7	12	1	13



05/04/05

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Appendix-B/10  
(Collectively)

English translation of the entries of serial no: 2641 as appearing in the Cremation - Burial Permission Register in Page 3, Volume 1 of Taihoku Municipality in the year shown 2 corresponding to 1945.

- |      |                                    |                                   |
|------|------------------------------------|-----------------------------------|
| 1.   | Serial No:                         | 2641                              |
| 2.   | Name of Disease:                   | Heart Failure                     |
| 3.1. | Date of Death:                     | 19 <sup>th</sup> August 1945      |
| 3.2. | Date of Permission:                | 21 <sup>st</sup> August 1945      |
| 3.3. | Date of Cremation / Burial:        | 22 <sup>nd</sup> August 1945      |
| 4.   | Name of Crematory / Burial Ground: | .... Crematorium                  |
| 5.   | Occupation:                        | Army as part timer                |
| 6.   | Sex:                               | Male                              |
| 7.   | Address: (Permanent):              | 2-1, Dogenzaka, Minbu-ku, Taihoku |
|      | (Present):                         | 3-2, Nogi-cho, Taipei             |
| 8.   | Name:                              | Ichiro Okura                      |
| 9.   | Date of Birth:                     | Meiji 33 - 4 - 9 (9th April 1900) |
| 10.  | Applicant: Address:                | (Military Unit No: 4 / No 21123)  |
|      | Name:                              | Mr. Taneoyoshi Yoshimi            |

I am proficient in both Japanese - English languages. I have translated the aforesaid entries of serial no: 2641 into English. It is certified that this English rendering of the Japanese Document is literal, true and correct.

05/04/05



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## JUSTICE MUKHARJEE'S COMMISSION OF INQUIRY

29

06.04.2005

Pursuant to the order dated March 29, 2005, the services of Mr. Sandeep Kumar Seth, an Anglo-Japanese translator, referred to by the Japanese Consulate in Kolkata, were requisitioned to do the following:

- i) To look into the documents appearing in item no. 100 of memorandum dated January 31, 2005 as sent by the Government of Taiwan and confirm whether they contain entries of cremation during the period from 18<sup>th</sup> to 24<sup>th</sup> August, 1945;
- ii) If so, to let this Commission know whether names of Netaji Subhas Chandra Bose or 'Chandra Bose' (as Netaji was called by the Japanese), Pilot Takizawa, Co-pilot Anagawa and General Shidei, appear in any of those entries;
- iii) To let the Commission know the name of the person who made the entries at Serial no. 2641 in the aforesaid document and, if those entries relate to a person named Ichiro Chandra, to translate the entire entries against the said serial number; and
- iv) To let the Commission know, if possible, the name of the doctor who issued the report as appearing at page 99 of Mr. Harin Shah's book 'Gallant End of Netaji'.

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After examination of the above documents, the officer in charge has submitted his report confirming that the documents referred above contain entries of cremation during the period from 17th April 1945 (though the Commission had asked for entries for the period from 16th April 1945 only). The entries are marked Exhibits 304 collectively and the report is marked Exhibit 305. As the other documents received from the Government in response to the request of the Chairman of the Commission, not relevant they may be kept on record.

(M.K. Mukherjee)

Chairman



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3/12 (c)

26th August 1998

Toshikazu Shimoda  
5-12-5 Inamuragasaki  
Kanagawa-KEN 248-0001  
Tel/Fax 0467-31-1100

Dear Dr. Purobi Roy

Thank you very much for your letter dated 17. 08. 98.  
I am glad to write for your request my notice.

Netaji Subut Chandra Bose has been dead.  
I have received Death Certificate of Chandra Bose from  
Dr. Taneyoshi Yoshimi on August 10, 1998 and enclosed it and  
my translation for English there in.

I have sent the original Certificate to my friend  
friend Mr. L. Joychandra Singh in 1988 so that this is the copy  
of it.

Mr. L. Joychandra Singh has visited Dr. Taneyoshi Yoshimi  
together with me on 24th April 1991.

His ashes is now deep sleeping at the Temple Kenkei  
Tokyo.

All Japanese are having no doubt about the death of him  
and are hoping ashes early time to return his mother land India  
and his family.

I have called Ms. Karabi Mukherjee but she was absent.  
I will contact other time again.

With kind Regards

Yours sincerely  
Toshikazu Shimoda  
( Toshikazu Shimoda )

Annexure-D/2  
(collectively)

2) The death certificate

Name Chandra Boro

Reason for death For got burn to all body.

The three (3) Grade burn

Death date August 16, 1945.

Reason At about 18,00 O'clock August 8, 1945 in Taipei-Hanoyama Airport, airplane Chandra Boro boarded failed to the ground and burned, he was very heavy NO. 3 grade burned to all body.

Progress Immediately entered the Hinami - Hon Bunin of Taipei army hospital and treated the burnt all body, and made transfuse fluids and drink sulphur medicine and anodyne.

By all means of hospital function treated him, but died away on past 11,00 ( eleven ) same day night.

Above all mentioned I should certificate.

August 17, 1945.

338 OAZA-Takajo-HACHI Takajo-HACHI Kitamurohata-GUN Miyazaki-KEN

Doctor

Tanoyoshi Yoshimi ( fix stamp )

With kind regards

Yours sincerely

( T. SHIBUDA )



Annexure - 1

05.10.2005

Three applications, one supported by an affidavit of Smt. Prabha Jagannathan (JMCI/11) and the other two by Shri Subhas Ranjan Dasgupta and Shri Surajit Tapadar (both JMCI/3), detailing some grounds justifying the visit of the Commission to Russia and Vietnam and examination of some other witnesses were filed. The applications were heard on June 10, 2005 and in view of the earlier order of December 9, 2004, whereby a similar prayer of Shri Tapadar had been considered and rejected, his belated application for summoning identical witnesses was rejected by order passed on the same day. By the same order the applications filed by the other two deponents, viz., Shri Surajit Dasgupta and Shri Subhas Ranjan Dasgupta, so far as they relate to the visit to Vietnam, were directed to be placed for orders after the Commission's visit to Russia. Now that the Commission has completed its visit to Russia, it proceeds to pass necessary orders relating to their prayer for visit to Vietnam.

While the application of Shri Subhas Ranjan Dasgupta does not contain substantial material to justify such a visit, the application of Shri Surajit Dasgupta is based upon the following papers / documents for the same :

- (i) A report of one Smt. Prabha Jagannathan, a journalist, published in 'The Telegraph' dated September 26, 1994,
- (ii) Some documents indicating that the Indian National Army (INA) had a base in Vietnam,
- (iii) Shri Ananda Mohan Sahay's letter to Shri Subimal Dutta as mentioned in their earlier affidavit dated November 5, 2003; and

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(iv) Item No. 109 on page 209 of the Transfer of Power (Vol. VI) which mentions that Netaji was seen in Saigon after the date of the alleged air crash.

After careful perusal of the above papers / documents the Commission is of the view that no factual matrix has been laid down to justify a visit to Vietnam. The article of Smt. Prabha Jagannathan does not contain any material to indicate that Netaji was in Vietnam after the alleged air crash on August 18, 1945. Nonetheless, Smt. Jagannathan was repeatedly summoned to appear before the Commission but she failed to appear. Coming to the documents in item No. (ii), the mere fact that the Indian National Army (INA) had a base in Vietnam does not have any bearing whatsoever on the Commission's terms of reference. As regards the letter of Shri Sahay [item No. (iii)], it is seen that it is based only on information and hence no notice can be taken thereof. Lastly, the report in the Transfer of Power (Vol. VI) mentioning that Netaji was seen alive in Saigon after the aircraft accident is also based on a news item and no objective material, on which the said news item was founded, is available therein.

From the foregoing discussion the Commission is of the view that no purpose - much less useful - will be served by paying a visit to Vietnam except wasting time and public money.

The two applications, so far as they relate to the visit to Vietnam, are, therefore, rejected.



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Cpy for Sri A.C. Das

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Annexure - D/14

SECRET

Bangkok,  
16th August. 1945

Headquarters,  
Bikari Kikan,  
BANGKOK

Subject: Arrangement for Underground Organisation

Dear Sirs,

I understand from Sri. Debnath Das that Bikari Kikan has kindly promised ten pistols and two wireless sets for underground organisation. But this is not enough. In view of the fact that there will be no more fighting by the Nippon Army; it may be possible to get from the Nippon Army arms and wireless sets in addition to what the Bikari Kikan may be able to spare. It would help our work very much if we could get fifty revolvers and wireless sets, as well as British currency. The arms, wireless sets and British currency may be handed over to Sri. A.C. Das, who has been put in charge of the work by Sri. Debnath Das.

Thanking you.

Yours very truly,

*L. K. Das*

~~Copy to: Sri. A.C. Das, who may require in touch with the Bikari Kikan and the Nippon Army.~~

*If Sri S. Dasgupta and Sri S. Ray are going to Rangoon for underground work, I shall send them with British currency.*



Annexure D/15Gaimusho's Report regarding Enquiry into the Crash

THE GAIMUSHO,

June 4th, 1956.

Dear Mr. Doe,

In compliance with the request of the Netaji Subhas Chandra Bose Enquiry Commission, made at the Third Regular Meeting on May 25, 1956, I wish to state in reply as follows:

- (1) Official Enquiry Commission on the Accident of the Plane wherein Netaji was employed.

As a result of investigation made at the Operation Section, Repatriation Relief Bureau, Ministry of Health and Welfare, it has been revealed that no official enquiry commission to determine the causes of the accident in question was held so far.

(2)

I should appreciate it very much if you would be good enough to transmit the above reply to the said Commission.

Sincerely yours,

HISAJI MATTORI,

Chief of 4th Section, Asian Affairs Bureau,  
GAIMUSHO.



## Appendix I

List of Witnesses Examined

Witness No.	Names of witnesses	Date	Venue
1.	Shri E. Bhaskaran	15.07.00	Chennai
2.	Mrs. Rema Ravindran	15.07.00	Chennai
✓ 3.	Col. Pritam Singh	22.07.00	Dehradun
4.	Shri Nilanjan Bose	28.09.00	Mahajati Sadan Kolkata
5.	Shri Ardhendu Sekhar Sarkar	28.09.00	Mahajati Sadan Kolkata
6.	Shri Suman Chattopadhyay	23.11.00	Mahajati Sadan Kolkata
7.	Shri Barun Sengupta	23.11.00	Mahajati Sadan Kolkata
8.	Shri Anindya Sengupta	23.11.00	Mahajati Sadan Kolkata
9.	Shri Pabitra Kumar Ghosh	23.11.00	Mahajati Sadan Kolkata
10.	<u>Dr. (Ms.) Purabi Roy</u>	23.11.00 & 22.12.00 & 27.11.03 & 23.06.04	Mahajati Sadan Kolkata

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Witness No.	Names of witnesses	Date	Venue
11.	Shri Jayanta Roy	22.12.00	Mahajati Sadan Kolkata
12	Shri V.P. Bhatia Under Secretary, MHA Govt. of India	22.12.00	Mahajati Sadan Kolkata
13	Shri Samar Guha	10.01.01	At his Residence
14	Shri Narayan Sanyal	04.04.01	Mahajati Sadan Kolkata
15	Capt. Dr. Bipul Kr. Sarkar	04.04.01	Mahajati Sadan Kolkata
16	Dr. Jagadamba Prosad Srivastava	26.04.01	Lucknow
17	Dr. Alokesh Bagchi	27.04.01	Lucknow
18	Shri Viswabandhu Tewari	28.04.01	Lucknow
19	Shri Iqbal Bahadur Saxena (I.B.Saxena)	28.04.01	Lucknow
20	Shri Raghuraj Singh Rathore	28.04.01	Lucknow
21	Shri Ved Prakash Saini INA	04.06.01	Kanpur



Witness No.	Names of witnesses	Date	Venue
22	Dr. (Col.) Lakshmi Sangal	04.06.01	Kanpur
23	Shri Asoke Ghosh	13.06.01	Mahajati Sadan Kolkata
24	Shri Mubarak Mazdoor	13.06.01	Mahajati Sadan Kolkata
25	Col. Hugh Toye	19.07.01	Wheatley, Oxford
26	Shri Jagannath Prosad Gupta	13.07.01	Sheopurkalan, M.P.
27	Shri Ram Bharoshi Sharma	14.7.01	Sheopurkalan, M.P.
28	Smt. Dulari Bai	14.7.01	Sheopurkalan, M.P.
29	Shri Katar Singh	16.7.01	Sheopurkalan, M.P.
30	Shri Gurdayal Singh	16.07.01	Sheopurkalan, M.P.
31	Shri Suresh Chandra Mudia (Nayeb, Tehshildar & Executive Magistrate), Sheopur Kalan, M.P.	16.07.01	Sheopurkalan, M.P.
32	Shri Durga Prasad Pandey	08.08.01	Faizabad, U.P.
33	Shri Ashok Tandon	08.08.01 & 09.08.01	Faizabad, U.P.
34	Dr. R. P. Misra (Dr. Raghunath Prosad Misra)	09.08.01	Faizabad, U.P.

Witness No.	Names of witnesses	Date	Venue
35	Baba Bhandari @ Shew Bhagwan	10.08.01	Faizabad, U.P.
36	Shri B.L. Verma	10.08.01 & 16.08.01	Faizabad, U.P.
37	Dr. Priyabrata Banerjee	13.08.01	Faizabad, U.P.
38	Shri Raj Kumar Shukla	13.08.01	Faizabad, U.P.
39	Shri Gur Basant Singh	14.08.01	Faizabad, U.P.
40	Shri Srikant Sharma 'Kanha'	14.08.01 & 16.08.01	Faizabad, U.P.
41	Col. Amar Bahadur Singh	16.08.01	Faizabad, U.P.
42	Shri Shakti Singh	16.08.01	Faizabad, U.P.
43	Dr. Amiya Kumar Samanta	22.08.01	Mahajati Sadan Kolkata
44	Shri Asoke Gupta	22.08.01	Mahajati Sadan Kolkata
45	Prof. Alok Ray	22.08.01	Mahajati Sadan Kolkata
46	Capt. Barindra Karmakar	22.08.01	Mahajati Sadan Kolkata
47	Santanu Banerjee	22.08.01	Mahajati Sadan Kolkata
48	Shri <u>Pranab Mukherjee</u>	15.10.01	Vigyan Bhavan, New Delhi



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Witness No.	Names of witnesses	Date	Venue
49	Shri Shali Ittaman	15.10.01 & 16.10.01	Vigyan Bhavan, New Delhi
50	Shri Anuj Dhar	15.10.01, 16.10.01 & 19.12.01	Vigyan Bhavan, New Delhi
51	Shri Sailesh Shekhar	16.10.01	Vigyan Bhavan, New Delhi
52	Shri Alope Mukhopadhyay	16.10.01	Vigyan Bhavan, New Delhi
53	Shri Mahesh Pd. Srivastava	16.10.01	Vigyan Bhavan, New Delhi
54	Shri Pradip Bose	16.10.01	Vigyan Bhavan, New Delhi
55	Shri Rai Singh	16.10.01	Vigyan Bhavan, New Delhi
56	Shri Sitanshu Das	17.10.01	Vigyan Bhavan, New Delhi
57	Shri Shyam Narayan Bind	28.11.01	Faizabad
58	Dr. Ramendra Pal	28.11.01	Faizabad
59	Shri Nirupam Misra	28.11.01	Faizabad, UP
60	Shri Kailash Nath Jaiswal	28.11.01	Faizabad, UP



Witness No.	Names of witnesses	Date	Venue
61	Shri Rabindra Nath Shukla	28.11.01	Faizabad, UP
62	Shri Satya Narayan Singh Satya (Commissioner of the Inventory, Faizabad)	28.11.01	Faizabad, UP
63	Dr. Viswambharnath Arora	28.11.01	Faizabad, UP
64	Sayed Kauser Hussain	29.11.01	Faizabad, UP
65	Smt. Rita Banerjee	29.11.01	Faizabad, UP
66	Shri K. Natwar Singh	19.12.01	Vigyan Bhavan, New Delhi
67	Shri Satindra Pal Sharma	19.12.01	Vigyan Bhavan, New Delhi
68	Mrs. Sangita Gairola Jt. Secretary, MHA	20.12.01	Vigyan Bhavan, New Delhi
69	Shri Jayant Prasad Jt. Secretary, MEA	20.12.01	Vigyan Bhavan, New Delhi
70	Shri Jarnail Singh Jt. Secretary, PMO	20.12.01	Vigyan Bhavan, New Delhi
71	Smt. Bithi Chatterjee	21.03.02	Mahajati Sadan Kolkata
72	Shri Subrata Bose	21.03.02 & 09.12.04	Mahajati Sadan Kolkata
73	Smt. Chitra Ghosh	21.03.02	Mahajati Sadan Kolkata
74	Shri Satyabrata Tapadar	21.03.02	Mahajati Sadan Kolkata



Witness No.	Names of witnesses	Date	Venue
75	Shri Kartik Chakraborty Office Secretary of Netaji Research Bureau, Kolkata	10.06.02	Mahajati Sadan Kolkata
76	Shri Sudhangshu Kumar Poddar	16.07.02	Jalpaiguri Circuit House West Bengal
77	Shri Sudhir Kumar Poddar	16.07.02	Jalpaiguri Circuit House West Bengal
78	Shri Lalit Mohan Chowdhury	16.07.02	Jalpaiguri Circuit House West Bengal
79	Shri Bikash Chandra Guha	16.07.02	Jalpaiguri Circuit House West Bengal
80	Shri Sujit Kumar Biswas	16.07.02	Jalpaiguri Circuit House West Bengal
81	Shri Rajat Kanti Bhadra	16.07.02	Jalpaiguri Circuit House West Bengal
82	Shri Dinabandhu Dutta	16.07.02	Jalpaiguri Circuit House West Bengal
83	Shri Nikhil Chandra Ghatak	17.07.02	At his residence at Jalpaiguri, West Bengal
84	Dr. Taneyoshi Yoshimi	17.09.02	At his residence at Takajyocho, Miyazaki Prefecture, JAPAN
85	Shri Subhas Ranjan Dasgupta	02.12.02	Mahajati Sadan, Kolkata
86	Shri Usha Ranjan Bhattacharjee	02.12.02	Mahajati Sadan, Kolkata



Witness No.	Names of witnesses	Date	Venue
87	Shri Kanailal Basu	27.12.02	Mahajati Sadan, Kolkata
88	Dr. Bijoy Ketan Mukherjee	27.12.02	Mahajati Sadan, Kolkata
89	Smt. Rama Banerjee	27.12.02	Mahajati Sadan, Kolkata
90	Shri Sukhendu Kumar Baur	27.12.02	Mahajati Sadan, Kolkata
91	Shri Sunil Krishna Gupta	26.03.03 & 27.03.03 & 14.07.03	Mahajati Sadan, Kolkata
92	Shri Bhaskar Keshari Nag	26.03.03	Mahajati Sadan, Kolkata
93	Shri Alope Krishna Chakraborty	27.03.03	Mahajati Sadan, Kolkata
94	Shri Surajit Dasgupta	27.03.03	Mahajati Sadan, Kolkata
95	Shri Nandalal Chakrabarti	27.03.03	Mahajati Sadan, Kolkata
96	Shri Jagatjit Dasgupta	27.03.03	Mahajati Sadan, Kolkata
97	Shri Tarun Kumar Mukhopadhyaya	27.03.03	Mahajati Sadan, Kolkata
98	Shri Bijoy Kumar Nag	03.04.03 & 23.06.04	Mahajati Sadan, Kolkata



Witness No.	Names of witnesses	Date	Venue
99	Shri Apurba Chandra Ghosh	12.05.03	His residence at Thakurpukur, Kolkata
100	Shri V. K. Nayak	25.06.03	His residence at Pune-16
101	Shri Narendra Nath Martanda Sindkar	26.06.03	Above address at Pune - 16
102	Shri S. S. Padhye	28.06.03 29.06.03 & 30.06.03	His residence at Amravati
103	Dr. Probhakar Narayan Wadodkar	30.06.03	Above address at Amravati
104	Dr. Susanta Kumar Mitra	14.07.03 & 15.07.03	Mahajati Sadan, Kolkata
105	Shri Rathindra Mohan Roy	15.07.03	Mahajati Sadan, Kolkata
106	Shri Subhransu Roy	15.07.03	Mahajati Sadan, Kolkata
107	Shri Dulal Nandy	15.07.03	Mahajati Sadan, Kolkata
108	Dr. Madhusudan Pal	16.09.03 & 07.01.05	Mahajati Sadan, Kolkata

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Witness No.	Names of witnesses	10 Date	Venue
109	Shri Kripa Sindhu Saha	16.09.03	Mahajati Sadan, Kolkata
110	Shri Paras Dutta	16.09.03	Mahajati Sadan Kolkata
111	Shri Monoranjan Ghosh	27.11.03	Mahajati Sadan, Kolkata
112	Smt. Mamata Das	27.11.03	Mahajati Sadan, Kolkata
113	Shri Viswajit Dutta	16.04.04	Mahajati Sadan, Kolkata
114	Smt. Jayantee Bhattacharya	16.04.04	Mahajati Sadan, Kolkata
115	Shri Rishi Ranjan Chakraborty	16.04.04	Mahajati Sadan, Kolkata
116	Shri Nirupom Som	23.06.04	Mahajati Sadan, Kolkata
117	Shri Swadhin Sanyal	23.06.04	Mahajati Sadan, Kolkata
118	Shri Samit Kumar Dutta	08.09.04	Vigyan Bhavan, New Delhi
119	Shri B. Lal	08.09.04	Vigyan Bhavan, New Delhi
120	Dr. Subrata Kumar Mondal	15.10.04	Mahajati Sadan, Kolkata



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Witness No.	Names of witnesses	Date	Venue
121	Shri Madhusudan Lal Sharma	15.10.04	Mahajati Sadan, Kolkata
122	Smt. Manwati Arya	09.12.04	Mahajati Sadan, Kolkata
123	Shri J. K. Dutta {Lt. Col. Jayanta Kumar Dutta (Retd.)}	09.12.04	Mahajati Sadan, Kolkata
124	Shri Kamal Dutta	09.12.04	Mahajati Sadan, Kolkata
125	Shri Gorachand Dey	09.12.04	Mahajati Sadan, Kolkata
126	Dr. Vijendra Kumar Kashyap	07.01.05	Mahajati Sadan, Kolkata
127	Shri Shk. Husamuddin B. Kapasi	28.01.05	Embassy of India, Bangkok
128	Mr. E. N. Komorov	20.09.05	Conference Room, Embassy of India, Moscow, Russia
129	Mr. V. K. Touradjev	20.09.05	- do -
130	Mr. Alexey V. Raikov	21.09.05	- do -
131	Mr. Boris V. Sokolov	21.09.05	- do -

## Appendix II

List of Exhibits

Exhibit No.	Short Description
1, 1(1), 1(2), 1(3) & 1(4)	Affidavit and signature of E. Bhaskaran
2, 2(1), 2(2)	Affidavit and signatures of Col. Pritam Singh
6, 6a & 6a(1)	Paper cuttings of the articles of Suman Chattopadhyaya
7, 7(a) to 7 (w)	Paper cuttings of the articles of Barun Sengupta
8	Paper cutting of the article of Anindya Sengupta
9, 9(a) to 9(m)	Paper cuttings of the articles of Pabitra Kumar Ghosh
10	Affidavit of Dr. Purabi Roy
12	Written authority of Sangita . Gairola, Jt. Secretary, MHL
13	A Book by Prof. Samar Guha, "Netaji, - Dead or Alive"
14	Affidavit of Samar Guha
15	Copy of letter dated 07.01.1990 from Prof. Samar Guha, M.P. to Shri Chandrasekhar, the then Prime Minister.
15 (a)	Copy of letter dt. 01.01.1990 from Prof. Samar Guha, M.P. the then President of India, Shri R. Venkatraman.
15 (b)	Copy of letter dated 24.08.1998 from Prof. Samar Guha, M.P. to Shri Morarji Desai, the then Prime Minister.
16 & 16(a)	Two books by Prof. Samar Guha - "Mahatma and Ni (Exhibit 16) and "Netaji - Swapna - O - Sadhana" (Ex 16(a)
17	'Netaji Rahasya Sandhane' - a book written by Narayan Sanyal.



Exhibit No.

Short Description

18 & 18A to 18E	✓ Affidavit and signature of <u>Dr. Alokesh Bagchi</u>
18F	Photocopy of writ petition No.929/86 of Allahabad High Court, Lucknow Bench.
18G to 18V	Newspaper cuttings of 'Northern India Patrika'
18W	Two inventories (Bengali & Hindi) of articles allegedly belonging to Netaji in Faizabad.
18X	Photocopy of the order of Allahabad High Court, Lucknow Bench
19, 19(A)	Two paper cuttings of 'The Pioneer' dt. 1.4.1986 & 5.4.1986 respectively.
20, 20(A) to 20(E)	Affidavit & signatures of Raghuraj Singh Rathore
Mat. Exts. Nos. I, II & 1(a) & II(a)	✓ Photos of <u>Sant Samrat Yogi</u> of Sitapur & negatives of the above photographs.
21, 21(1)	Affidavit & signature of Ved Prakash Saini
Mat. Exts. Nos. II(b)	Video Cassette – An interview with Dr. Lakshmi Sahgal by V.P. Saini
22, 22(1), 22(2), 22(3)	Original paper cuttings of ABP dt. 4.12.2000
23(1), 23(2), 23(3)	-do- dt. 24.01.2000
24, 24(1)	'A Revolutionary Life' - a book by <u>Dr. Lakshmi Sahgal</u> & pages 108 – 109 of the same book.
25, 25(1)	Paper cuttings of ABP dt. 04.02.2001
26	Paper cutting – 'Bartaman' dated 30.11.1995
27(Collectively)	<u>Mystery of the disappearance of Netaji Subhas Chandra Bose (two volumes) by All India Forward Bloc.</u>
28, 28/1	Affidavit & signature of Mubarak Mazdoor
28(2)	Page 36 of the Book, "India Wins Freedom" by Maulana Abul Kalam Azad (xerox copy)
29, 29/1	Letter to Dr. Purabi Roy by Col. <u>Hugh Toye</u> and envelope.

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Exhibit No.	Short Description
30	Message re: Death of Netaji
31	Doctor's description of Netaji's death
32	<u>Figgess' Report</u>
33, 33(A) to 33(E)	Affidavit of Jagannath Prasad Gupta and signatures
34, 34(A)	Copy of letter from Jagannath Prasad Gupta to JMCI with signature.
35, 35(A)	Copy of telegram with postal receipt.
36, 36(A)	<u>Signatures of "Jyotirdev Baba".</u>
37	Seizure List (English)
38, 38(A) and 38(B)	Affidavit and signatures of Ram Bharoshi Sharma
39, 39(A), 39 (B)	Affidavit and signatures of Katar Singh
40	Letter of Shri L.C. Talwar dated 22.8.1972 with signature
Material Exhibit No. III, III (A)	<u>Photos of Jyotirdev Baba</u>
IV and IV (A)	Negatives of the above photos
41, 41(A) & 41B	Affidavit and signatures of Gurdayal Singh
42	Authority letter of the D.M. Sheopur to Suresh Chandra Mudia dt. 16.7.2000
43	Certified copy of the seizure list in English
44	Order of Addl. Civil Court, Sheopur, M.P.
45	Letter dated 12.04.01 from Durga Prasad Pandey
46	<u>Handwriting of Gumnami Baba</u>
47, 47(A) & 47(B)	Affidavit and signatures of Ashok Tandon
48	Letter from Ms. Lalita Bose dated 26.8.1989



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Exhibit No.	Short Description
49	<u>A letter dated 16.12.1988 from Samar Guha</u>
49A	The envelop of the above letter
50 & 50(A)	<u>Two booklets on Netaji</u>
51	Letter of Authority to B.L. Verma by D.M. , Faizabad
52	Copy of the order of Allahabad High Court, Lucknow Bench.
53	English rendering of a letter written by Swamiji to the father of Dr. P Banerjee.
54	English rendering of the xerox copy of the letter written by Swamiji to the father of Dr. P. Banerjee
55 & 56	Newspaper cuttings of 'Northern India Patrika'. Newspaper cuttings of 'Rashtriya Sahara'
57	Photocopies of letters dated 06.04.1963 written by Leela Roy to Srikant Sharma 'Kanha'.
58	English rendering of Exhibit 57.
59	English rendering of <u>the letter dated 28.04 from Samar Guha in Hindi.</u>
60	English rendering of the list of important dates during <u>contact with Bhagwanji.</u>
61, 61(A), 61(B), 61(C)	Affidavit and signatures of Col. Amar Bahadur Singh.
62, 62(A), 62(B)	Affidavit and signatures of Shakti Singh
63	Inventory in English - Ref. B.L. Verma.
64	An article by Dr. Amiya Kumar Samanta in the Centenary Volume of Scottish Church College.
65	Affidavit of Asoke Gupta sworn in 1973
66	Scottish Church College Centenary Volume.
67, 67(A) to 67 (J)	Affidavit and signatures of Capt. Barindra Karmakar.

## Exhibit No.

## Short Description

- 68 & 69 Photocopies of two articles
- 70 Copy of letter dated 25.11.1995 written by Jyotish Chand Bose and others to Sri Pranab Mukherjee, the then Minister of External Affairs.
- 71 Copy of letter dt. 28.2.1996 written by Kushal Sankar Chowdhury and others to Shri Pranab Mukherjee, the then Minister of External Affairs.
- 72 Website letter in 'Hindustan Times' to Shri Jayanta Roy from Sanjoy Trehan, G.M. Internet.
- 73 Website - U.S. Sleuths News item.
- 74 "K G B Files reveal Subhas' presence in U.S.S.R." - News item in Hindustan Times.
- 75 Newspaper cutting - Hindustan Times dated August 19, 20

## Material Exhibit IV/1

CD produced by Shri Ittaman (CW49)

- 76 Article of Anuj Dhar in the Website of Hindustan Times
- 77 Copy of P.M.O. File No.915/11/C/6/96 Pol.
- 78, 78/1 Affidavit and signature of Mahesh Pd. Srivastava
- 79, 79/1 Affidavit and signature of Pradip Bose.
- 80 Article of Pradip Bose in Scottish Church College Centenary Volume.
- 81 Newspaper cutting - Hindustan Times - A news item by Singh - 'Netaji in Siberia'.
- 82 'Subhas - A Political Biography' - by Sitanshu Das
- 83, 83/1 Affidavit and signature of Shyam Narayan Bind
- 84, 84/1 Affidavit and signature of Dr. Ramendra Pal
- 85, 85/1 Affidavit and signature of Kailash Nath Jaiswal.



Exhibit No.	Short Description
86	Inventory in Hindi
86/1	Signatures (collectively) of the Commissioner of Inventory, Faizabad
87(Collectively)	Series of articles in 'Northern India Patrika' by Vishwambhar Nath Arora and another (Paper cuttings).
88	A post card written by <u>Prof. Samar Guha</u> to <u>Sayed Kauser Hussain</u>
Material Exhibit V (Collectively)	Three cassettes oriduced by Sayed Kauser Hussain (CW64)
89	A review in 'Frontline' dated 12/10/01 by K. Natwar Singh
90	Letter to the Editor, Hindustan Times from Satindra Pal Sharma
91, 91/1	Affidavit and signature of Ms. Sangita <u>Gairola</u>
92, 92/1	Affidavit and signature of Jayant Prasad
93, 93/1	Affidavit and signature of <u>Jarnail Singh</u>
94, 94/1	Affidavit and signature of <u>Subrata Bose</u>
94/2	Signature of <u>Chitra Ghosh</u> on the Affidavit
95	A letter dated 01.12.1995 written by Chitra Ghosh to the then Prime Minister (Photocopy) {Annexed with her affidavit dt. 04.03.2000 in Vol. III(A)}
96, 96/1	Affidavit and signature of Satyabrata Tapadar
96/2, 97/2, 98/2	Signatures of <u>Subhas Ranjan Dasgupta</u> on the Affidavit
97, 97/1, 98, 98/1, 99, 99/1	Supplementary Affidavits and signatures thereon of Satyabrata Tapadar respectively.

Exhibit No.	Short Description
100	A booklet 'What happened to Netaji after 18 <sup>th</sup> August, 1945' - published by Satyabrata Tapadar.
101	Letter of Authority to Kartik Chakraborty from the Chairperson of Netaji Research Bureau.
102 (Collectively)	Photocopies of 14 specimen signatures and handwritings of Netaji.
103, 103/1	Affidavit and signature of Bikash Chandra Guha
104	<u>Handwriting of Swami Saradanandji of Shoulmari</u>
Material Exhibit VI	<u>Photograph of Swami Saradanandji</u>
105	Letter dated 08.04.2000 from Sujit Kumar Biswas to Justice Mukherjee Commission
106	An article in 'Achalpatra' by Sujit Kumar Biswas
107	<u>13 printed leaflets of Shoulmari Ashram</u>
108	<u>A booklet 'Atma Bikasher Pratham Sopan' containing teachings of Saradahandji Maharaj'</u>
109, 109/1	<u>Letter dated 06.11.1980 from Ramani Ranjan Das and his signature thereon</u>
110, 110/1	<u>Letter dated 25.06.1965 from Ramani Ranjan Das to Nikhil Chandra Ghatak and his signature thereon</u>
111, 111/1	<u>Letter dated 06.08.1965 from Ramani Ranjan Das to Nikhil Chandra Ghatak, Advocate and his signature thereon.</u>
112	Photocopy of the Death Certificate issued by Dr. Taneyoshi Yoshimi
113, 113/1, 114, 114/1	Affidavits and signatures respectively of Subhas Ranjan Dasgupta
115	Newspaper 'Netaji Azad Hind Gazette' dated 15.09.1964
116	Weekly Newspaper - 'Rupantar'



Exhibit No.	Short Description
117, 117/1	Affidavit and signature thereon of Usha Ranjan Bhattacharjee
118	'Netajike Lai Kellaye Hatya' – a book written by Usha Ranjan Bhattacharjee
119	'Netaji was murdered in Red Fort' – a book written by Usha Ranjan Bhattacharjee
120, 120/1	Affidavit and signature thereon of Kanailal Basu
121	Page 79 of the book 'Netaji: Natun Kore Dekha' - by Kanailal Basu
122, 122/1	Affidavit and signature thereon of Dr. Bijoy Ketan Mukherjee
123, 123/1	Affidavit and signature thereon of Ms. Rama Banerjee
124, 124/1	Affidavit and signature thereon of Sukhendu Kumar Baur
125, 126	Affidavit and Supplementary Affidavit of Sunil Krishna Gupta
125/1, 126/1	Signatures of Surajit Dasgupta on the above affidavits.
127 and 127 (a) to 127 (y)	Letters of Sukrit to Bhagwanji (in a bunch)
128 to 128(b)	Lists of articles
128 (c)	An Article (Interpress)
129 to 129 (n)	Letters of Atul Krishna Gupta
130 to 130 (k)	Letters of Shiba Prasad Nag
131	<u>Diary</u> of Shiba Prasad Nag
132, 132/1, 132(a) & 132 (b)	<u>Handwritings of Bhagwanji</u>
133	A book in Bengali – 'Renkojir Vasma Rahasya' - by Alok Krishna Chakraborty
134 to 134 (h)	Letters of Surajit Dasgupta
135 to 135 (c)	<u>Four Diaries</u> (photocopy) produced by Surajit Dasgupta

Exhibit No.	Short Description
136	Special Message from Netaji broadcast on 18-08-1945 between 2115 – 25 hrs.
Material Exhibit. VII	12 Rakhis and four Chits
137 to 137(d)	Letters of Nandalal Chakrabarti
138 to 138(g)	Letters of Jagatjit Dasgupta
139 to 139(b)	Photocopies of three diaries produced by Jagatjit Dasgupta
140 to 140(f)	Letters of Tarun Kumar Mukherjee
141 to 141(o)	Letters of Charan
142 to 142(h)	Letters of Mukul
143 to 143 (b)	Letters of Renu @ Anil Das
144 to 144@	Letters of Tripti @ Santosh Bhattacharya
145 to 145(b)	Three slips by Bhagwanji
146 to 146(b)	Three letters of Kumar Biswanath Roy
147 to 147(b)	Letters of Leela Roy
148 to 148(b)	Letters of Sailen Roy
148©	Manuscript of Sailen Roy
149 & 149 (a)	Letters of Kabiraj Kamalakanta Ghosh
150 to 150(b)	<u>Letters of Prof. Samar Guha</u>
151	<u>Letters of Trailakya Nath Chakraborty</u>
152(Collectively)	Lists of articles (170 pages)
153 & 153(a)	'Oi Mahamanaba Ashe' (two volumes) written by Charanik
154 to 154(m)	Journals – 'Jayashree'
155 to 155(b)	Three manuscripts



Exhibit No.	Short Description
Mat. Exhibit VIII	<u>Photo of Prof. Samar Guha</u>
" " VIII(a)	Photo of Prof. Guha giving a speech
" " IX & IX(a)	Photo of Trailakya Nath Chakraborty offering flowers to the photograph of Leela Roy
" " X	Group photograph of Bijoy Kumar Nag, Sunil Das and Santosh Bhattacharya
" " XI	✓ Photo of Suresh Chandra Bose offering garlands to the photograph of Leela Roy
" " XII	✓ Photograph of Netaji's parents
" " XIII	✓ Photograph of Netaji's mother
Mat. Exhibit XIV	✓ Photograph of Beni Madhab Das
" " XV	✓ Photograph of Netaji's father
" " XVI	✓ (1) Photograph of Netaji (bald headed) and (2) Photograph of Netaji with his father (in the same frame)
" " XVII	✓ Family photograph of Netaji
156, 156/1 to 156/7	Affidavit and signatures of V.K. Nayak
157, 157/1	Affidavit and signature of Narendra Nath M. Sindkar
158, 158/1 & 158/2	Affidavit and signatures of S.S. Padhye
158(a), 158(a)/1, 158(a)/2	2 <sup>nd</sup> affidavit and signatures of S.S. Padhye
159 to 159(f)	Photocopies of letters written by Vijnanananda/Saradananda addressed to S.S. Padhye

Exhibit No.	Short Description
★ 160	Photocopy of page 40 (first three paragraphs) of the book, ' <u>Hansagaan</u> ' by Madhavshree Gokhale
★ 160(a)	English translation of the above book (pages 40-41) by P. N. Wadodkar
★ 161, 161/1	Letter dated 13.7.2000 & signature of S.S. Padhye thereon, addressed to Zee Network.
• 162 & 162(a)	Photocopies of letter of K.K. Roy to S.S. Padhye with address on the envelope.
• 163	Photocopy of letter dt. 27/1/1977 to S.S. Padhye from Dada
• 164	Photocopy of writings in the pad of Shoulmari Ashram
165	Biography of <u>Netaji</u> containing 1497 pages.
Mat. Exhibit XVIII to XVIII(k)	21 Several photographs
166	An envelope bearing address of Sunil Gupta
167	A letter with a photocopy
168 (Collectively)	Eight envelopes containing addresses of Sunil Gupta/Sukrita + 4-page letter with photocopies thereof.
169	A seven page letter with photocopies thereof
170, 170/1	Affidavit of Dr. Susanta Kumar Mitra with signature
171, 171/1	Supplementary affidavit with signature of Dr. Susanta Kumar Mitra.
172, 172/1	Index of the supplementary affidavit of Dr. Mitra with signature.
173	A book in Bengali, ' <u>Netaji, Ajnata Adhyay</u> ' By Susanta Kumar Mitra.

Bala Viswas  
Netaji



Exhibit No.	Short Description
174	An article in the main affidavit
175 (Collectively)	14 articles of Dr. Mitra titled "Netaji Rahasya" (annexure to the main affidavit).
* 176	Original of Annexure 'E' to the affidavit – letter dt.16.8.1945 signed by Subhas Chandra Bose.
* 177	Original of Annexure 'F' to the affidavit - letter dated 16.8.1945 signed by Subhas Chandra Bose addressed to Hikari Kikan, Bangkok
* 178	Original of Annexure 'G' to the affidavit - message undated and unsigned.
* 179	Original of Annexure 'I' to the affidavit – message undated and unsigned.
Mat.Exhibit XIX (Collectively)	Three cassettes
180 to 180(k)	Letters from Rathindra Mohan Roy
181 to 181(d)	Letters from Rajat
182 to 182(y)	Letters from Ranen
183 (Collectively)	85 letters from P.M. Roy
183(a)	List of articles (five pages)
183(b)	Diary of P.M.Roy
184	A book in Bengali, 'Netajir Secret Service' - written by P.M.Roy
185, 185/1	Affidavit and signature of Subhransu Roy
186, 187	Letters dt 30.03.1997 and 21.08.1999 from Col. Hugh Toye to Subhransu Roy
188	Letter of Leela Roy
189	Note from Bhagwanji

\* Original Exhibits 176 to 179 (Annexures E to I of the Affidavit of Dr. Susanta Kumar Mitra), subsequently replaced by scanned copies thereof and returned to the deponent (JMC/37 = CW 104)

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Exhibit No.	Short Description
190(Collectively)	Notes of Dulal Nandy (14 pages)
190(a)	Notes of Dulal Nandy (6 pages)
190(b)	Exercise Book notes – 28 + 6 = 34 pages
191 (Collectively)	Letters/notes stated to be of Bhagwanji (12 pages).
192 (Collectively)	Two envelopes addressed to Santosh Bhattacharya and Ms. Santana Bhattacharya and one invitation card
193, 193/1	Affidavit and signature of Dr. M.S. Pal
194, 194/1	Supplementary affidavit and signature of Dr. M.S. Pal
195, 195/1	Supplementary affidavit and signature of Dr. M.S. Pal
196	Special message dated 23.9.1945 from Netaji to the Indians in S.E Asian countries.
197	Message from M.Z. Kiani dt. 18.8.1945
198, 198/1	Affidavit and signature of Kripa Sindhu Saha
199, 199/1	Affidavit and signature of Paras Dutta
200, 200/1	Supplementary affidavit and signature of Dr. Purabi Roy
201	<u>Paper cutting of 'Aikal' dated 22.09.03</u>
202, 202/1	Affidavit and signature of Monoranjan Ghosh
203, 203/1	Letter dt. 10.08.2003 and signature of Ms. Mamata Das
204	7 <u>Photocopy of a diary</u>
205, 206	Volumes I & II respectively of the book "Taihoku Theke Bharat" by Shri Abhijit.
207, 207/1	Affidavit and signature of Swadhin Sanyal
208, 208/1	Affidavit and signature of Rishu Ranjan Chakraborty



Exhibit No.	Short Description
209	A book - 'India in Crisis' - by Rishi Ranjan Chakraborty
210	2 <sup>nd</sup> J. Nehru Memorial Lecture, 1968 (copy without the last page).
211, 211/1	Letter and signature of Nirupom Som dt. 22.04.04
212, 212/1	Supplementary affidavit and signature of <u>Dr. Purabi Roy</u>
213	An article in Soviet Land, 1990
214, 217, 218, 219	Articles in Russian language
215, 216, 220	English rendering of the above mentioned articles in Russian language.
221	Copy of letter dated 25.07.1963 written by Leela Roy to Dilip Roy
222	DNA Report of CDFD, Hyderabad
222A	DNA Report of CFSL, Kolkata
223, 223(A) to 223(T)	<u>Evidence of Khosla Commission - Vols. I to XIX, XXII and one extra volume (Total 21 volumes)</u>
224	<u>Dissentient Report by Shri Suresh Chandra Bose</u>
225	<u>Report of Khosla Commission in a bound volume (copy)</u>
226	<u>Mountbatten papers</u> (File No. K-148A)
227, 227A and 227B	Three sets of documents from Japanese Ministry of Foreign Affairs (Ref. DO letter No.25/4/NGO-Vol.IX dt.20.02.2004) ( in file No.70(II).
228	<u>Khurshed Naroji's letter addressed to Louis Fischer</u> (copy) (File No.70(II), CPs 241-219).
229	Photocopies of three documents from National Archives, Govt. of UK (An investigation was made under the orders of the Governor of Taiwan in 1956 into the alleged death of Netaji Subhas Chandra Bose, leader of the INA in Formosa)
230	'Niskalank Subhas' - a book written by Dr.Rajveer Singh Krantikari (JMCI/3)

Exhibit No.	Short Description
231	'The Springing Tiger' by Hugh Toye (photocopy - library no.E/2
232	One bound book in English & Russian languages from Govt. of Russia to National Archives of India.
233	English translation of Russian language portion of the above book
234	Affidavit re : English translation of the book mentioned above. (Ref.JMCI/53).
235	File No.2(64)56-66PM-(Vol.II).
236	File No.2(64)56-66PM-(Vol.I)
237	File No.G-4(2)/95-NGO (Photocopy)
238	File No. T-2(64)/78 PM
239	File No. G-12(3)/98-NGO
240	File No. 23(II)/56-57 PM-INA Treasure
241	File No. 2(64)/56-67 PM. (Vol.III)
242	File No. WO.208/3812 from British Library, London
243	File No. 2(64)/56-70 PM (Vol.V)
244	File No. 2(64)/56-68 PM (Vol.IV)
245	File No. 870/11/P/16/92 Pol. (PMO)
246	File No. 800/6/C/1/90-Pol
247	File No. 265/INA
248	File No. L/P&J/12/761 Reader Printer copy of Roll no. 6
249	File No. L/P&J/12/763 Roll No. 6 (London)
250	File No. L/P&J/12/771 Roll No. 7 (London)
251	File No. MSS-EUR-C-785 Roll No. 7 (London)



Exhibit No.	Short Description
Mat.Exhibit XX	Tara Bangla - Cassettes (Live Dashtay) 21 <sup>st</sup> July, 2003 . Netaji's death still controversial – interview with Shri Sugata Bose.
Mat.Exhibit XXI	'End of an Epoch – A CD <u>on the death of J.L.Nehru.</u>
Mat.Exhibits XXII to XXII(D)	Five Cassettes regarding interaction of the Commission with representatives in Japan.
252,254,256,258, 260,262, 264	Russian documents submitted by Dr.Purabi Roy.
253,255,257,259, 261,263 & 265	English rendering respectively of the above Russian documents.
266	DO letter No.IV/8(66)/2001-2184 dated 12.12.2001 from Sanjay Sinha, Joint Director, Intelligence Bureau (MHA),GOI to JMCI
267	Affidavit of Sanjay Sinha, Joint Director, IB (MHA,GOI dated 11.12.2001)
267(a) to 267(l)	<u>Copies of 12 documents marked as Com.Nos. by Justice Khosla</u> Commission of Inquiry being Annexures I to XII of the Affidavit of Sanjay Sinha.
268 to 273	Paper cuttings of 'Dainik Statesman' (Bengali) – Articles of Samit Kumar Dutta.
274	Photocopy of documents received from National Archives, U.K.
275 to 275/5	-do-
276	Twelve questioned documents examined by Shri B. Lal.
* 276/1, 276/1(a) to 276/1(d)	<u>Admitted handwritings and signatures of Subhas Chandra Bose.</u>
** 277-279	Reports of Shri B.Lal.
** 280	Index of the report of Shri B.Lal
** 281 to 281 (r)	Annexures to the report of Shri B.Lal (in 19 folders)

Exhibit No.	Short Description
Material Exhibit Nos. ** XXIII to XXIII(n)	Photographs (15 folders)
** XXIV to XXIV (r) 282	Negatives of the above photographs (19 folders) Report of Dr.Subrata Kumar Mondal (Dr.S.K.Mondal)
283	Report of Shri Madhusudan Lal Sharma (M.L.Sharma)
284	Paper cutting of an article in the 'Statesman' dt. 20.02.2003 by J.K. Dutta.
285,285/1	Affidavit and signature of Kamal Dutta
Mat. Exhibit XXV, XXV (a) to XXV (f)	<u>Seven photographs of the contents of the casket alleged to contain the ashes of Netaji.</u>
9 Mat. Exhibit XXVI	<u>CD (ROM)</u>
286	Letter No. Nil dt. November 12,2002 signed by Shri C. Rajasekhar, First Secretary and Shri D.Armstrong Changsan, Second Secretary, Indian Mission in Japan.
287	D.O. letter No.25/4/NGO/Vol.IX dt.23.09.2003 of Ruchi Ghanashyam, Director (CNV), MEA.
288	Letter No.IV/8(22)/2002-IV-1124 dt. 25.10.2004 from Sanjay Sinha, Joint Director, Intelligence Bureau, MHA, GOI, New Delhi.
289	Copy of a document bearing No.FS/43/13/556 dt.18.05.1945 re : Disembarkment of INA personnel.
290	Affidavit of Dr. Madhusudan Pal
Material Exhibit XXVII	Video Cassette submitted by Dr Madhusudan Pal
Material Exhibit XXVIII	CD (Computer) submitted by Dr.Madhusudan Pal
291	Copy of a fax message from Husamuddin B.Kapasi to Embassy of Bangkok



Exhibit No.	Short Description
292	Photocopy of a book 'India and Thailand' containing speeches of Netaji.
293	E-mail of <u>MOTC</u> to Anuj Dhar
294	E-Mail from <u>Mayor of Taipei</u> to Anuj Dhar
295	' <u>Gallant end of Netaji</u> ' a book by Harin Shah
296	File No.379 INA (Pt.LXXIX(79)
297	Speeches of Netaji Subhas Chandra Bose (Monitored)
298	File No. 75 INA
299	File No.138 INA
300	File No.273 INA
301	File No.249 INA
302	Extract from the book titled " <u>Cricket - A BRIDGE FOR PEACE</u> " by Shahryar Khan (Pakistan Cricket Board Chief)
303(Collectively 51 pages)	DO No.25/4/NGO-Vol.IX dated February 20,2004 from Ruchi Ghanashyam, Director (CNV) to Secretary, JMCI forwarding a set of three documents relating to inquiry regarding reported death of CHANDRA BOSE.
304(Collectively 25 pages)	Certain entries of a cremation register during the period from 17 <sup>th</sup> to 27 <sup>th</sup> August,1945, as sent by the Government of Taiwan
305(Collectively 4 pages)	Report of the Anglo-Japanese translator, Sandeep Kumar Sett.
Material Exhibits XXIX, XXIX(a), XXIX(b), XXIX(c)	Japan Cassettes - Mat Exhibits XXII, XXII(b) and XXII(c) prepared in NTSC Format since converted into four CDs.



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Exhibit No.	Short Description
306	A book in Russian language written by Mr. A. V. Raikov (Most Dangerous Hour of India – captioned in English)
307	A letter dated 20.09.2005 written to JMCI by the Head of the Indian Center of the Institute of Oriental Studies , Russian Academy of Sciences, Moscow
308	<u>Unto Him a Witness</u> (Photocopy of a book written by S. A. Ayer)



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Dear Sir,

Please forgive me for responding late to your letter received earlier. I wish to express my view as follows:

On December 9, 2001, PM Vajpayee visited the Renkoji Temple. He visited the temple twice including the occasion when he was the Foreign Minister to pay homage to the remains of H.E. Mr. Subas Chandra Bose, the leader of India's independence movement, which had been kept at the temple. After the Prime Minister's visit, I heard that investigation on the remains would be conducted again.

A delegation led by Mr. Mukerji visited the Renkoji Temple on September 17, 2002. On that occasion, the persons concerned including myself and Messrs. Masao Hayashi and Shigemoto Okuda of the Chandra Bose Academy gathered. They offered thorough explanations about the circumstances surrounding the death of H.E. Mr. Chandra Bose. I have no doubts about the authenticity of the factual explanations offered by individuals directly related to the temple. The possibility of conducting a DNA test was not discussed at that time.

In October, Messrs. Rajasekhar and Armstrong visited the temple. They said they would open the casket for investigation as directed by Mr. Mukherji. I opened it as I thought I should cooperate with them. They took pictures of the scene. I requested them to give me a proof showing that I did not open the casket by myself but only when I was so asked. Both officers, Messrs. Rajasekhar and Armstrong put in the casket a piece of paper on which they wrote about it. After that I heard that pictures taken at that time had appeared in a local newspaper in India. I was astonished and shocked.

Colonel H. Raman, Mrs. Sahay, Mr. Iyer and officials of the concerned Japanese authorities concerned brought the remains with the request we kept them. (Please refer to an attached copy of a paper about the details of the handover of the remains in 1945) At that time, after the defeat in the war, Japan was under occupation of the US and the UK. In the midst of severity of circumstances surrounding the Japanese



society, my father agreed to safeguard the remains under his care in the conviction that there is no border for remains. He was requested by official of the Indian Representative Office to remain silent concerning this matter for some time. Therefore I believe without doubt that these are the remains of H.E. Mr. Chandra Bose. At that time, the then Indian Representative Office and the Ministry of Foreign Affairs of Japan had requested my father to keep the remains and give considerable care to them because they were the remains of a very important person of India. Therefore, my father always had given conscientious care to the remains of the Indian dignitary in a bid to avoid any accident. Someone told my father to give up the remains. I heard that my father took the remains in his bed during that night. He made such arrangements more than once.

When Mr. A. Seth was the Ambassador, I was told that a DNA test could be conducted and I had agonized over it so much. When he was still alive, my father used to say that the remains must be returned to India. I decided to extend my cooperation in the hope that if I agree to conduct the DNA test, it would pave the way for the return of the remains to India, as my father wished for it. In a meeting with the Ambassador, H.E. Mr. Tripathi, last year, I told him that I consent to the proposal.

Needless to say, I hope that the remains must be treated with respect and dignity when a research is conducted. I think we should offer prayers showing due respect when the remains are pulled out for the DNA test.

As to giving explanations to the followers of the Renkoji Temple, that task maybe left to me. As for the Chandra Bose Academy, however, I am in no position to answer for them.

When I met H.E. Mr. Tripathi at the Embassy on April 9, 2004, he asked me whether I had any request to make of him. I requested him to make some arrangement to allow me to bury some of the remains here. After considering further on the matter, I wish to make a new request. I hope that the names of my father and myself would be engraved below a statue of H.E. Mr. Chandra Bose in India as we have been entrusted for



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safeguarding the remains for a period of 60 years. If I were allowed to bury some of the remains, I shall continue to pray for the repose of souls of Mr. Bose.

This is my response to Secretary Srinivas.

Sincerely Yours.

Nichiko Mochizuki  
Chief Priest of the Renkoji Temple  
(25-3-2005)

Mr. Srinivas  
Officer  
The Indian Embassy

Regarding the remains of Mr. Netaji Subas Chandra Bose

Kyoei Mochizuki

Chief Priest of the Renkoji Temple

2-130, Koenji, Suginami-ku Tokyo.

Rev. Kakigawa, a priest with a special duty of the Horinouchi Myohoji temple, visited the Renkoji temple at 8 o'clock in the morning of 18 September 1945. He came for a secret consultation about the funeral for Mr. Subhas Chandra Bose, the Supreme Commander of the Indian National Army who was killed in an air crash at the airport in Taipei on August 18 of the same year. Rev. Kakigawa said that Rev. Nisho Hori, the chief priest of the Myohoji temple, was requested to perform the funeral but that he declined the offer because he felt not upto it due to his old age; other temples had also refused to accede to the request, citing various reasons; and he was told by others that the Chief Priest of the Renkoji temple could accommodate the request. Upon hearing the request, I agreed to it promptly as I believed there was no border for souls and it is a vocation for a Buddhist priest to pray for the repose of souls of the dead. Consequently, about 100 people gathered at 8 o'clock in the evening of September 18. Among those who were present were: Mr. M. Rama Murthy, an Indian who lived in Tokyo, Mrs. Sahay, Mr. Iyer, Mr. Kimura, 50 or 60 bodyguards of Mr. Bose, a Japanese man in plain clothes who appeared to be an officer attached to the General Staff, Indians and Japanese. I receive the remains from the officer attached to the General Staff and Mr. Murthy, placed them at the center of the Buddhist altar, and held the ceremony with 6 other Buddhist priests. After the end of the ceremony, Mr. Murthy requested me to keep the remains. I did not create any document acknowledging the acceptance to safeguard the remains because I thought it was a temporary arrangement. As things turned out, I continued to keep the remains secretly. Since then, several Indians used to make secret visits to the temple to pray for the repose of Mr. Bose's soul every month on 18th, the day when he passed away. However, it had become clear that the Indians residing in Japan who belonged to the Indian National Army would be repatriated to India on November 19 as war criminals prosecuted by the UK. I heard that they had taken important posts of



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the Indian Army following round the clock discussions at the court martial. Taking into consideration the circumstances surrounding the Japanese society at that time and Japan's relations with the occupation force, it is natural that the Indians concerned were extremely cautious about the safeguard of the remains. I made up my mind to risk my life for the task of keeping the remains because it was not easy to safeguard such remains for a long time. Few people visited the temple after the Indians concerned left Japan for their country. Based on my religious belief, I have been devoting myself to the safeguard of the remains and to offer Buddhist services for the repose of the soul of Mr. Bose in a bid to meet expectations of the Indians concerned who told me, at the time of their departure for home, that they had absolute confidence in me.

Around the time when the San Francisco Peace Conference was held in 1950, some newspapers had begun reporting stories about Mr. Bose. Accompanied by the Director of the Protocol Division, the Ministry of Foreign Affairs, Mr. Chetor, of the Representative Office of India in Japan, visited the temple on May 21, 1950. Mr. Iyer, then the Bombay Information attaché, came in May and June of the same year for investigation. He returned home after completing his fact finding mission. On May 28<sup>th</sup> of the same year, Mr. Tamura, the Director of Protocol Division of the Ministry of Foreign Affairs, and Mr. Toravelu, the First Secretary of Indian Embassy, came suddenly for extending an invitation to me and took me to a dinner hosted by CDA Chetor of India. However, Mr. Chetor was not able to attend the dinner due to an official engagement. Mr. Tamura said "You have done a good deed for Japan. However, your deed could have serious effects on the relations between Japan and India. It depends on your future deeds." First Secretary Toravelu showed highest respect and deep appreciation to me for my dedication for the safeguard of the remains of Mr. Bose at the risk of my life.

Prior to Mr. Iyer's return to home in July of the same year, Ambassador Chetor visited the temple again. Shortly after that, Mr. Rawal was posted to Japan as the Ambassador and visited the temple thrice. In each time of the visits, he expressed his gratitude to me and asked me to continue looking after the remains. At the end of February 1953 at the



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invitation of the Indian Embassy I visited the Embassy for a meeting with Ambassador Rawal. On that occasion, I expressed my view and offered detailed explanation of the development of the case about the remains of Mr Bose from the beginning as was required under the Indian embassy's documents. The Embassy made a record of all the discussions at the meeting. On that occasion, the Ambassador said "I head that some are trying to make use of the remains of Mr. Bose for the benefit of their own, which disturbs me. It stands to reason that you hold Buddhist services for the repose of his soul. Under the policy, we turn down all proposals from anyone who is trying to make use of the matter for his own profit. I would like to advise you not to get involved in any dirty conspiracy from outside."

As there were various complicated problems around the issue about keeping the remains, I asked him how I should deal with the remains of Mr. Bose. Then, on January 12, 1954, on behalf of the Indian Ambassador, a person visited to me secretly. He showed me a reply letter from PM Nehru and read the words by himself. He told me that in the names of the President of India and PM Nehru, they expressed the highest gratitude to me for my effort to hold the funeral for Mr. Bose and keep his remains. As for a matter of handling the remains, I was told and asked to say prayers for the repose of Mr. Bose's soul and keep the remains for the time being as they could entrust it to nobody in Japan for safeguarding except me, attaching faith in my sincerity. I was asked to tell nothing about the matter to newspaper reporters and others. The above mentioned letter contained a word as to material assistance to me. I had not requested for any assistance. As I only felt the necessity of setting up a shrine which is appropriate for placing the remains of Mr. Bose in it, I told him so. Then, the person acting as Ambassador's proxy promised me to convey it to PM Nehru.

On August 18, 1955, First Secretary Dau of the Indian Embassy visited the temple. After placing a flower wreath from the Ambassador, we held a Buddhist memorial service in commemoration of the 10<sup>th</sup> anniversary of the death of Mr. Chandra Bose. Mr. Bose had passed away on August 18. On September 18 of the same year, a memorial service sponsored by myself and all the supporters of my temple was held to



commemorate the 10<sup>th</sup> anniversary of the death of Mr. Bose. About 200 people attended the service including the Foreign Minister (Aoi Shigemitsu), the Indo-Japan Association, the Asian Association and ex-Japanese military men, together with journalists and citizens. It was a successful service. The Indian Government sent a telegram saying "On the occasion of the 10<sup>th</sup> anniversary of the death of Mr. Bose, we wish to pray for the repose of his soul and think about his greatness. We wish to express a profound gratitude to Rev. Mochizuki, the Chief Priest of the Renkoji Temple, for his favor."

On May 30, 1956 at the Indian Embassy, I had a meeting with Messrs Nawazukan (Railway Councilor) Suresh<sup>1</sup> Bose (elder blood brother of Chandra Bose) and Maitra Nawazukan<sup>2</sup> (Commissioner) of a delegation led by Mr. Nawazukan, which was dispatched by the Indian government to investigate the cause of the death of Chandra Bose. Consequently, the above mentioned three voiced their conviction that that remains kept at the Renkoji Temple must be the remains of Mr. Bose. I accompanied them to the Renkoji Temple immediately. They saw the remains. Upon seeing the remains, Mr. Suresh Bose, an elder blood brother, was not able to stand there. He just broke down and cried. He held my hands and expressed his gratitude to me many times.

On June 4 of the same year, a reception sponsored by the Ministry Foreign Affairs was held for the delegation at the Industrial Club of Japan in Marunouchi. On that occasion, a film depicting a brave figure of Mr. Bose before his death was shown. It was kept by the Ministry of Foreign Affairs and given to the delegation. At the reception, Mr. Suresh Bose shook hands with me five times again. In each time, he held my shoulders. Tears of gratitude were streaming down his face.

On October 12 of the same year, a paper about a "matter with regard to a report by an investigation committee on the cause of the death of Chandra Bose" came. It was addressed to me from the Director, the 4<sup>th</sup> Division, the Asian Bureau, the Ministry of Foreign Affairs. According to

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<sup>1</sup> Sarat?

<sup>2</sup> Shahnawaz Khan?

the paper, on September 11 at Indian Parliament, PM Nehru delivered speech on the report by the mission investigating into the cause of the death of Mr. Chandra Bose; acknowledged that the remains kept at the Renkoji Temple are those of Mr. Chandra Bose; and recognized the necessity for erection of a monument in his memory at an appropriate place by bringing back the remains to India in the future. He said, (PM Nehru) express my deep gratitude to the chief priest of the Renkoji Temple, who has been dedicated to safeguarding the remains with great respect for a long period of time.

I heard that the Indian Government did not immediately fulfill a plan to return the remains to the country because, Mr Suresh<sup>3</sup> Bose, an elder brother of Mr Chandra Bose, after the return of the delegation refused to acknowledge the death of Mr Bose due to influence of his close relations. And, especially as 80 million people in the Bengal State still believe blindly that Mr. Bose is alive, the Indian Government is reported to take into consideration its impact on the matter.

In accordance with Buddhist rite, the 13<sup>th</sup> anniversary of the death of Bose was to be observed. As such, on June 25 I visited the Ministry of Foreign Affairs and the Indian Embassy for making a three-page proposal in writing. I wish to hold a memorial service to commemorate the 13<sup>th</sup> anniversary of the death of Mr. Bose on coming August 18, date of his death. I hope that PM Nehru will visit the Renkoji Temple to pay his respect at the remains when he visits Japan. I asked about the Indian government's intention of dealing with the remains. I had advanced the same suggestions in writing to PM Nehru. The Indian Government and the Ministry of Foreign Affairs replied quite positively and sincerely, promising to provide a variety of assistance to me. The Indian Embassy and the Ministry of Foreign Affairs have given concrete instruction as to the matter of sending invitation cards. The Ministry of Foreign Affairs informed me that PM Nehru will visit the temple as a part of an official program during his visit to Japan in autumn. The Director of the Information Bureau of the Indian Embassy has given us a part of a report compiled by the Indian

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<sup>3</sup> Sarat?



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Government (with 6 to 7 photographs of the Renkoji Temple and myself) based on the report by the Indian Government's investigation mission.

The Buddhist memorial service in commemoration of the 13<sup>th</sup> anniversary of the death of Mr. Bose scheduled for this summer is an important function. I wish to hold it with solemnity with support and cooperation to be given by the authorities concerned and good wishers at a time when an official investigation by the Indian government was complete.

July 25, 1957

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The mystery of Netaji Subhash Chandra Bose's 'death', which has fascinated India for over 60 years, is in the news again.

Four years after the government trashed the Mukherjee Commission report, the issue has been raked up in a documentary on Bose.

Justice Manoj Mukherjee, in his inquiry report on the revolutionary leader's death, had said Bose did not die in the 1945 plane crash, as is popularly claimed.

Now, the judge has told filmmaker Amlankushum Ghosh he "strongly believes" Gumnami Baba, the mysterious monk who lived in Faizabad, Uttar Pradesh, was Bose in disguise.

In his inquiry report, Mukherjee had ruled out the possibility of the sadhu being Bose, though he believed Netaji had not died in the crash.

The judge's statement will be shown in Ghosh's documentary, Black Box of History, which will be screened in Kolkata on February 18.

Mukherjee said he had made the comments "strictly off the record". "I don't even want to talk about it. I had made those comments strictly off the record. If he (Ghosh) has disclosed these personal discussions, it is neither legally justified nor ethical," Mukherjee said.

"What I had said (in the film) concerns my belief. It has no legal basis. At the end of the day, what is important is what I had said in my report," he added.

In the film, the former Supreme Court judge, while talking about his scrutiny of Gumnami Baba's documents after the sadhu die  
personal feelingâ€¦ Don't quote meâ€¦ But I am  
monk) is Netaji." Ghosh defended his decision to

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